



Public Document Pack

DEVELOPMENT CONTROL AGENDA

**THURSDAY 4 FEBRUARY 2016 AT 7.00 PM
COUNCIL CHAMBER**

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.

Membership

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

For further information, please contact Katie Mogan or Member Support

AGENDA

1. MINUTES

To confirm the minutes of the previous meeting (these are circulated separately)

2. APOLOGIES FOR ABSENCE

To receive any apologies for absence

3. DECLARATIONS OF INTEREST

To receive any declarations of interest

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

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

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

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

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

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

4. PUBLIC PARTICIPATION

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

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

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

There are limits on how much of each meeting can be taken up with people having their say and how long each person can speak for. The permitted times are specified in the table above and are allocated for each of the following on a 'first come, first served basis':

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

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

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

The questioner may not ask the same or a similar question within a six month period except for the following circumstances:

- (a) deferred planning applications which have foregone a significant or material change since originally being considered
- (b) resubmitted planning applications which have foregone a significant or material change
- (c) any issues which are resubmitted to Committee in view of further facts or information to be considered.

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

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- (a) 4/03674/15/FUL - 296-298 HIGH STREET, BERKHAMSTED, HP4 1AH (Pages 6 - 13)
- (b) 4/03915/15/FUL - 24 TANNSFIELD DRIVE, HEMEL HEMPSTEAD, HP2 5LG (Pages 14 - 28)
- (c) 4/03254/15/FHA - 5 EGGLETON DRIVE, TRING, HP23 5AJ (Pages 29 - 41)

- (d) 4/03473/15/FUL - 74 LOCKERS PARK LANE, HEMEL HEMPSTEAD, HP1 1TJ (Pages 42 - 48)
- (e) 4/03673/15/FUL - HEMEL HEMPSTEAD BOWLS CLUB, GADEBRIDGE PARK, LEIGHTON BUZZARD ROAD, HEMEL HEMPSTEAD, HP2 5HT (Pages 49 - 53)

6. APPEALS (Pages 54 - 56)

7. EXCLUSION OF THE PUBLIC (Page 57)

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5.02	4/03915/15/FUL	DEMOLITION OF EXISTING BUNGALOW AND CONSTRUCTION OF TWO DWELLINGS 24 TANNSFIELD DRIVE, HEMEL HEMPSTEAD, HP2 5LG	
5.03	4/03254/15/FHA	LOFT CONVERSION INCLUDING ROOF ENLARGEMENT AND SINGLE STOREY SIDE EXTENSION 5 EGGLETON DRIVE, TRING, HP23 5AJ	
5.04	4/03473/15/FUL	CHANGE OF USE OF AMENITY SPACE TO SINGLE CAR PARKING SPACE 74 LOCKERS PARK LANE, HEMEL HEMPSTEAD, HP1 1TJ	
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Agenda Item 5a

Item 5.01

4/03674/15/FUL - CHANGE OF USE OF FIRST FLOOR FROM A3 STORAGE TO C3 STAFF ACCOMMODATION. (AMENDED SCHEME).

296-298 HIGH STREET, BERKHAMSTED, HP4 1AH



Site Location Plan

**4/03674/15/FUL - CHANGE OF USE OF FIRST FLOOR FROM A3 STORAGE TO ANCILLARY STAFF ACCOMMODATION (AMENDED SCHEME).
296-298 HIGH STREET, BERKHAMSTED, HP4 1AH.
APPLICANT: Chokdee Ltd.**

[Case Officer - Jason Seed]

Summary

This application proposes the change of use from first floor A3 storage to ancillary staff accommodation. It is considered that the proposal positively encourages and supports the town centre economy whilst not adversely impacting upon the host property or the street scene. As such, it is considered to comply with the NPPF and policies contained within the Core Strategy and the Saved policies within the Dacorum Borough Local Plan (DBLP).

Site Description

The application site comprises a two storey detached commercial building which is situated on the northern side of High Street, Berkhamsted. The surrounding area is predominantly commercial with residential uses also evident within the local area.

The application is subject to the following relevant planning designations: Berkhamsted Conservation Area, Area of Archaeological Importance, Town Centre. The subject property is also designated as a Grade II Listed Building.

Proposal

The application proposes the change of use of first floor from A3 storage to staff accommodation. The original application description was for a change of use of first floor storage to C3 although it is considered that this description is incorrect and as such, has been amended with the agreement of the applicant.

It is noted that the ground floor has recently been the subject of a number of planning approvals to facilitate the introduction of a new Thai restaurant, The Giggling Squid. The staff accommodation proposed by this application relates directly to this operation.

Referral to Committee

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

Planning History

4/03636/15/LB VARIOUS REPAIRS, DILAPIDATIONS WORKS AND
C ALTERATIONS
Delegated

4/02971/15/AD REPAINTING OF EXISTING SIGNAGE AND CHANGES TO
V EXISTING SIGNAGE
Granted
13/10/2015

4/02978/15/FU CHANGE OF USE OF FIRST FLOOR FROM A3 STORAGE TO C3
L STAFF ACCOMMODATION
Withdrawn
13/10/2015

Policies

National Policy Guidance

National Planning Policy Framework (NPPF)
National Planning Policy Guidance (NPPG)

Adopted Core Strategy

NP1 - Supporting Development

CS4 - The Towns and Large Villages
CS8 - Sustainable Transport
CS12 - Quality of Site Design
CS17 - New Housing
CS27 - Quality of the Historic Environment
CS28 - Renewable Energy

Saved Policies of the Dacorum Borough Local Plan (DBLP)

Policy 18 - The Size of New Dwellings
Policy 19 - Conversions
Policy 51 - Development and Transport Impacts
Policy 58- Private Parking Provision
Policy 119 - Development Affecting Listed Buildings
Policy 120 - Development in Conservation Areas

Accessibility Zones SPG
Appendix 5 - Parking

Summary of Representations

Conservation Officer - No objection
Historic Environment Unit - No objection (subject to conditions)
Berkhamsted Town Council - The proposed provision of 5 bedrooms, providing accommodation for 8 people with 1 bathroom is cramped. There is concern regarding multiple occupation. There will be an impact on the current storage provision. This is considered to be over-development of the premises. No allowance is made for additional parking. Contrary to CS 12 and Policy 119
Highway Authority - No objection (subject to conditions)
Thames Water - No objection
Environmental Health - No objection (following receipt of amended plans).

Building Control -

Considerations

Policy and Principle

Core Strategy Policy CS4 states that in town centres a mix of uses is sought, including residential. It is therefore considered that the principle of the proposed development is acceptable. It should be noted that the accommodation provided will be for staff supporting the principle restaurant use. It is considered that since the use is ancillary to the principal restaurant use the proposal would not in this case constitute a material change of use.

Effects on the External Appearance of Building

The proposed changes are minor in nature and are all internal. As such the impacts on the appearance of the building are restricted to those visible from the inside.

Historic Environment

An application for Listed Building Consent (4/03636/15/LBC) has recently been approved under delegated powers which proposed the following:

'To undertake works to repair general dilapidations along with alterations to facilitate the use of the first floor for staff accommodation through the formation of new walling and alterations to existing door opening. Improvement works'.

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, (the Act) which requires the decision maker, in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest. The Council's Conservation and Design Officer has been consulted on this application and has stated that they have no objection to the change of use proposal. As such, the proposal would have a neutral impact on the setting of the Grade II host building and therefore the setting would be preserved.

The Council's Historic Environment Officer has been consulted on the application as the application site is situated within an Area of Archaeological Importance. The Officer stated that given the scale and nature of the repairs and alterations detailed in the Schedule of Building Repairs it is recommended that the impact of the proposal on the significance of the building is mitigated via a programme of detailed historic building recording in addition to the subsequent monitoring of any interventions affecting the historic fabric of the upper floor of the building. However, this application is for a change of use and matters such as those described are have been considered and addressed by the application for Listed Building Consent. As such, it is not considered appropriate to apply this condition to an approval for a change of use.

It is therefore considered that the proposal will not adversely impact upon heritage assets and as such, the proposal complies with Policy CS27 of the Core Strategy and Saved Policies 119 and 120 of the DBLP.

Impact on Street Scene

The proposed changes are internal and as such, will not impact upon the street scene.

Impact on Highway Safety

The Highway Authority has been consulted on the application and has no objection to the proposal subject to conditions in respect of refuse collection and construction traffic parking. It is therefore considered that the proposal will not result in an unacceptable impact on highway safety and is therefore acceptable.

Parking

Policy CS8 of the Core Strategy states that all new development will contribute to a well-connected and accessible transport system whose principles are to provide sufficient, safe and convenient parking based on car parking standards; the application of those standards will take account of the accessibility of the location, promoting economic development and regeneration, supporting shopping areas, safeguarding residential amenity and ensuring highway safety.

The application does not propose any parking. However, the site is situated within a highly sustainable town centre location. Policy 58 of the Saved DBLP 1991-2011 states "Car free residential development may be considered in high accessibility locations, Parking provision also be omitted or reduced on the basis and type and location of the development (e.g special needs/affordable housing, conversion or reuse in close proximity to facilities, services and passenger transport).

It is considered that the nature of the occupancy of the proposed units is such that low car ownership rates are anticipated. Furthermore, as staff will be living on-site, it is reasonable to assume that staff-related vehicular trips and the need for staff parking will be reduced from that which may be otherwise expected.

Bearing in mind the above it is therefore considered that the proposal is in accordance with Policy CS8 and CS12 of the Core Strategy and Saved Policy 58 of the DBLP.

Impact on Neighbours

The proposal will not result in an adverse impact on neighbours.

Sustainability

As a change of use application the opportunity for sustainability enhancements are limited.

Other Matters

The Town Council have objected on the grounds that the proposal will not result in an impact on current storage provision. It is considered that it is a matter for the occupiers of such units to determine whether or not sufficient storage exists. The applicant has confirmed that there is sufficient storage space downstairs and they also cook fresh ingredients from scratch every day so they do not hold large stocks, preferring

frequent fresh deliveries. Dry goods and food storage are within the kitchen area. Water and alcohol is generally within the ground floor customer area with a modest amount potentially stored in back of house areas.

The applicant has stated that the Thai chef labour market is very tight, more so since recent immigration legislation was introduced and staff accommodation provision is essential in attracting and retaining staff. Across the operator's 14 restaurants they accommodate approx. 200 staff. Without this provision of free accommodation (they do not charge their staff, they pay their benefit-in-kind income tax through a PIB arrangement with HMRC) they would not be able to operate a high quality kitchen operation as they could not attract skilled Thai chefs. In locations where they are unable to provide on-site accommodation they rent privately. The cost of this reduces the viability of potential sites without usable rooms above. As the application proposes ancillary accommodation for staff, it is considered appropriate to impose a condition on planning consent to ensure control over the nature of the occupancies.

The NPPF is quite clear in that the Government is committed to securing economic growth in order to create jobs and prosperity. To help achieve economic growth, local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century. The NPPF further advises that Local Planning Authorities should facilitate flexible working practices such as the integration of residential and commercial uses within the same unit.

Furthermore, the NPPF states that Local Planning Authorities should recognise town centres as the heart of their communities and pursue policies to support their viability and vitality and should recognise that residential development can play an important role in ensuring the vitality of centres. It is considered that the proposed development fully accords with these objectives and as such, benefits fully from support by the NPPF.

The Council's Environmental Health Officer has been consulted and has advised that room sizes are required to be a minimum of 6.5m². One of the bedrooms which was originally proposed has been removed from the proposal as it fell below this size requirement. An informative to advise the applicant of this requirement is considered appropriate.

It is noted that the Town Council objected to the proposal due to it being cramped. It is considered that the removal of this undersized room reduces any potential for sub-standard accommodation and provides a less intensely used development of acceptable room sizes. It should be noted that the Town Council objected to the proposal on the basis that only one bathroom is proposed, but there are in fact two proposed.

Conclusion

The application proposes the change of use of first floor A3 storage to ancillary staff accommodation. The applicant has confirmed that adequate storage will remain should this application be granted. The proposal would provide much needed staff accommodation to support the primary ground floor use which will assist the business in terms of viability which will in turn promote the vitality of the town centre economy. It

is considered that with appropriate conditions, the proposal will result in an acceptable form of development within a town centre location which is supported by Policy CS4 of the Core Strategy, Policy 19 of the DBLP and the NPPF. As such, the application is recommended for approval.

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/documents:**

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

- 3 **No works shall commence on site until a scheme for the refuse collection has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.**

Reason: To ensure the provision of adequate refuse collection that meets the needs of occupiers in accordance with Core Strategy Policy CS12.

- 4 **Development shall not commence until a scheme detailing provision for on-site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.**

Reason: To ensure adequate off-street parking during construction in the interests of highway safety in accordance with Saved Policy 51 of the DBLP.

- 5 **The ancillary accommodation hereby approved shall only be tenanted by staff directly employed by the operators of the primary use at ground floor level.**

Reason: To ensure that the accommodation remains ancillary to the main use to ensure that the benefits of the proposal are delivered in accordance with economic growth objectives as promoted by the NPPF.

ARTICLE 35 STATEMENT

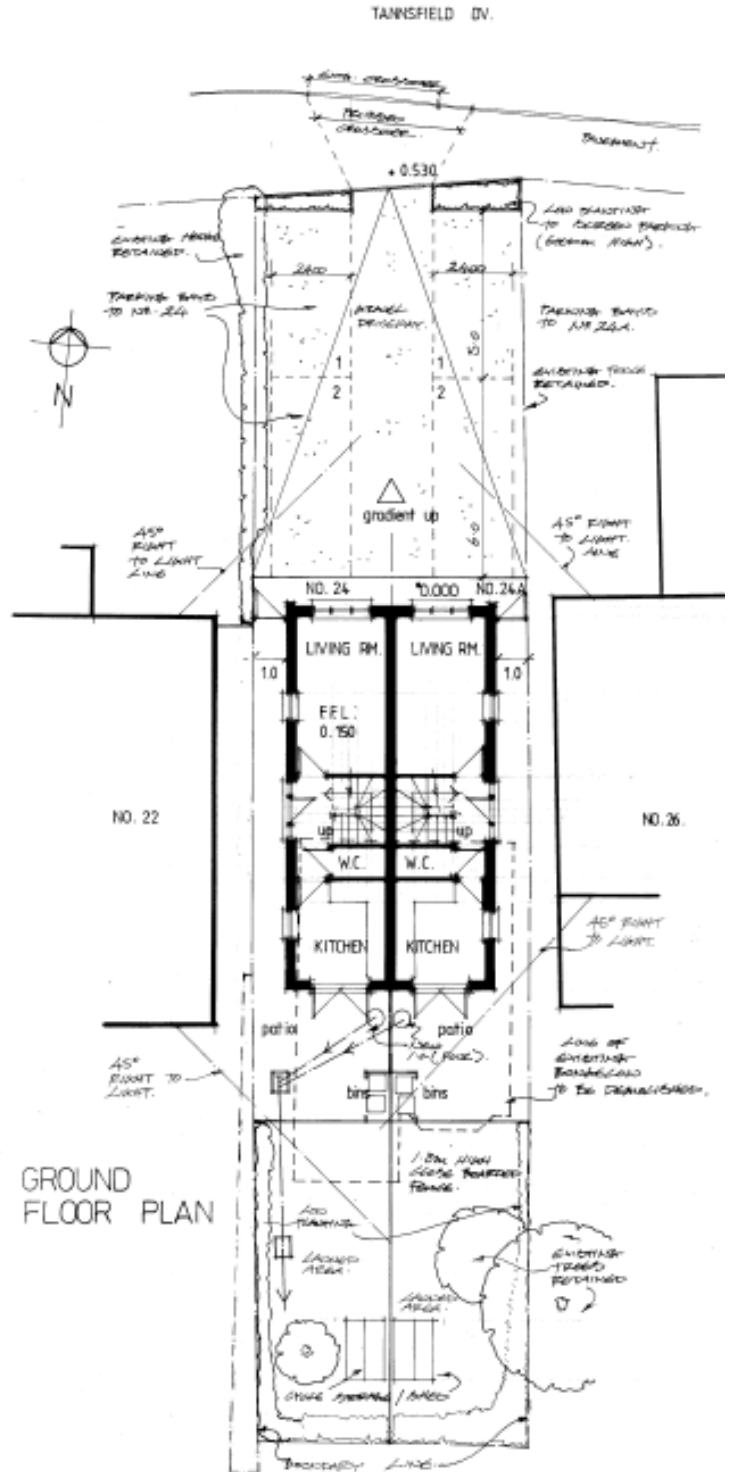
Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Agenda Item 5b

Item 5.02

4/03915/15/FUL - DEMOLITION OF EXISTING BUNGALOW AND CONSTRUCTION OF TWO DWELLINGS

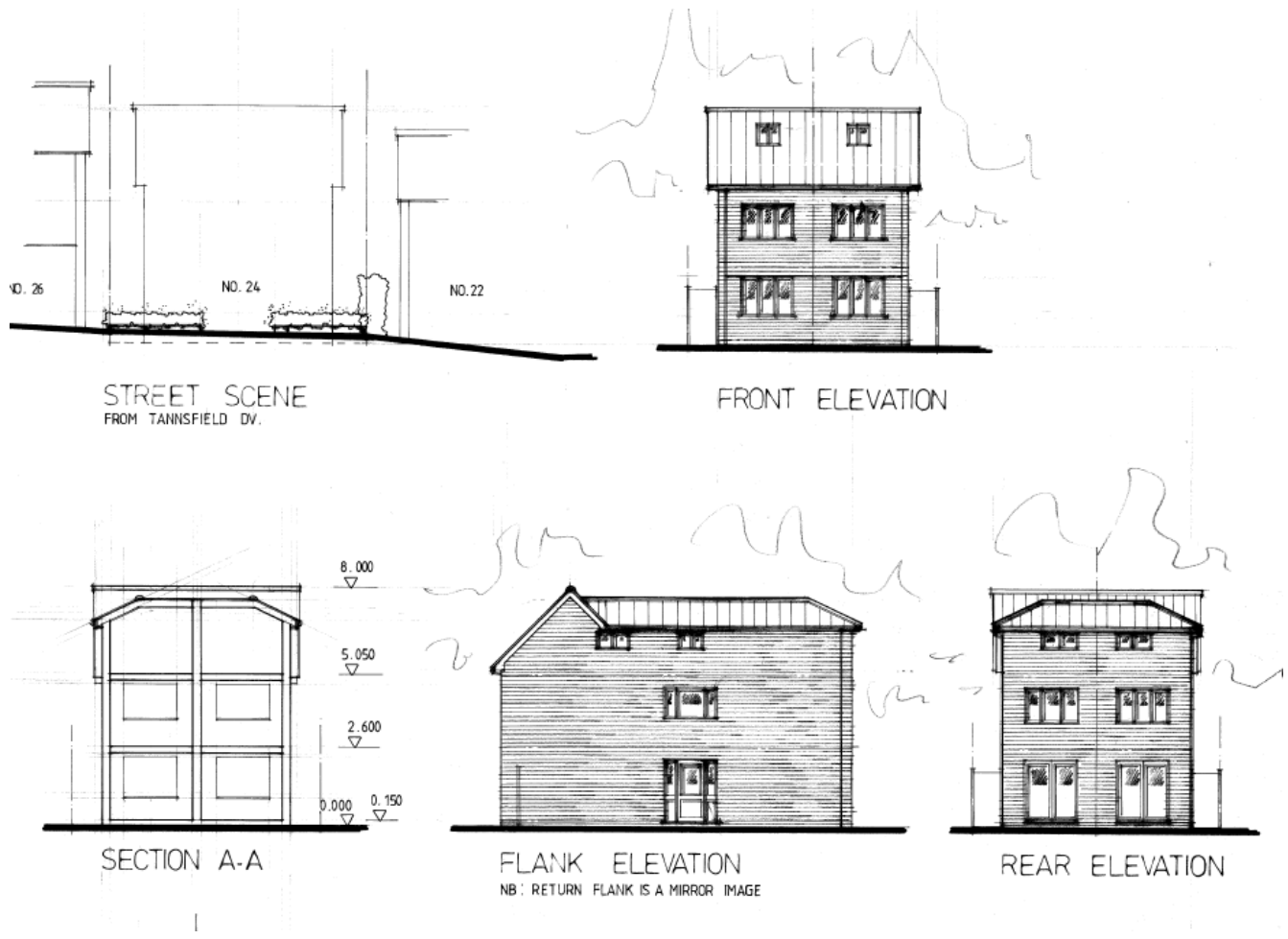
24 TANNSFIELD DRIVE, HEMEL HEMPSTEAD, HP2 5LG



Item 5.02

4/03915/15/FUL - DEMOLITION OF EXISTING BUNGALOW AND CONSTRUCTION OF TWO DWELLINGS

24 TANNFIELD DRIVE, HEMEL HEMPSTEAD, HP2 5LG



4/03915/15/FUL - DEMOLITION OF EXISTING BUNGALOW AND CONSTRUCTION OF TWO DWELLINGS.

24 TANNSFIELD DRIVE, HEMEL HEMPSTEAD, HP2 5LG.

APPLICANT: MR ALAN AND LEE PRETTY.

[Case Officer - Andrew Parrish]

Summary

The application is recommended for refusal. The application for two semi-detached dwellings is an amendment following refusal of a similar scheme in 2015. Despite the change in design, and the slight reduction in depth of the building, these amendments do not address the principle concerns that the proposal for two dwellings is overdevelopment of the site, out of context with the surrounding character of detached dwellings and in its height, form and design would appear as an obtrusive and cramped form of development, out of keeping with the surrounding context and harmful to the street scene.

Site Description

No. 24 is a detached bungalow located on the southern side of Tannsfeld Drive within an otherwise built up frontage of detached two storey dwellings. It is understood to have originally been built in the back garden of 29 Ellingham Road with access therefrom before the surrounding residential area was built up. The bungalow is set substantially behind the general building line established by the existing dwellings of Tannsfeld Drive / Tannsfeld Close. The bungalow is set back some 22 m from the frontage behind a gravelled forecourt with a hedge to one side and access from Tannsfeld Drive. The property is situated in the Adeyfield North area of Hemel Hempstead comprising an area of extensive variety in design, layout and age of development. However, the immediate area is of relatively uniform residential development from the late C20.

Proposal

Referral to Committee

The application is referred to the Development Control Committee at the request of Councillor Graham Adshead.

Planning History

4/00051/15/FU DEMOLITION OF EXISTING BUNGALOW AND REPLACEMENT
L WITH 2 DWELLINGS
Refused
04/03/2015

4/01026/13/PR DEMOLITION OF EXISTING BUNGALOW AND REPLACEMENT
E WITH 2 DWELLINGS
Unknown
02/08/2013

4/01324/08/PR DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION
E OF TWO SEMI-DETACHED DWELLINGS
Unknown
01/07/2008

4/02114/05/FU DEMOLITION OF EXISTING BUNGALOW AND CONSTRUCTION
L OF FOUR BEDROOM HOUSE
Granted
03/02/2006

4/01453/05/FU DEMOLITION OF EXISTING DWELLING, CONSTRUCTION OF
L TWO STOREY BUILDING COMPRISING FOUR FLATS WITH
ASSOCIATED PARKING
Withdrawn
11/08/2005

Policies

National Policy Guidance

National Planning Policy Framework (NPPF)
National Planning Policy Guidance (NPPG)
Circular 1/2006, 05/2005

Adopted Core Strategy

NP1 - Supporting Development
CS2 - Selection of Development Sites
CS4 - The Towns and Large Villages
CS8 - Sustainable Transport
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS13 - Quality of Public Realm
CS16 - Shops and Commerce
CS19 - Affordable Housing
CS26 - Green Infrastructure
CS29 - Sustainable Design and Construction
CS31 - Water Management
CS32 - Air, Water and Soil Quality
CS35 - Infrastructure and Developer Contributions

Saved Policies of the Dacorum Borough Local Plan

Policies 10, 13, 18, 21, 51, 54, 58, 63, 100, 111, 122 and 124
Appendices 1, 3 and 5

Supplementary Planning Guidance / Documents

Environmental Guidelines (May 2004)
Area Based Policies (May 2004) - Residential Character Area HCA23: Adeyfield North
Water Conservation & Sustainable Drainage (June 2005)
Energy Efficiency & Conservation (June 2006)
Affordable Housing (originally adopted January 2013)
Planning Obligations

Advice Notes and Appraisals

Sustainable Development Advice Note (March 2011)

Summary of Representations

Hertfordshire Highways (in summary)

Raises no objections subject to conditions covering upgrading / widening of existing access to 4.8 m and completion of the parking area prior to first occupation and its ongoing retention.

The applicant proposes to alter the existing crossover. However, the width of the proposed crossover is unclear from the plan provided (drawing: 1536/02). The applicant will need to submit further information detailing the width of the proposed crossover.

The applicant proposes 2 car spaces per dwelling. This exceeds the DBC parking standards. However, the LPA will determine whether the level of parking is appropriate.

HCC previously provided advice to the applicant on 4/03915/15/FUL requesting the applicant provide a revised site layout to aid on site manoeuvrability of vehicles when parking in the two sets of parallel parking spaces.

The applicant has since provided revised plans. However, the parking layout appears to be unaltered from the original plan. In order to ensure that the car parking arrangement is feasible the applicant will need to provide a swept path analysis to ensure that vehicles can park, turn around and re-enter the highway in a forward gear.

The applicant has not provided any details of cycle parking for the proposed development. Cycle parking needs to be provided in accordance with the LPA guidance.

The impact of this development on the local highway network has been assessed and would not have an unreasonable impact on the safety and operation on the highway network, subject to suitable conditions.

Thames Water

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

Trees and Woodlands

Any comments received will be reported at the meeting.

Building Control

Any comments received will be reported at the meeting.

Scientific Officer

Any comments received will be reported at the meeting.

HCC Planning Obligations Officer

Any comments received will be reported at the meeting.

Three Valleys Water

Any comments received will be reported at the meeting.

Response to Neighbour Notification / Site Notice / Newspaper Advertisement (in summary)

9, 17, 20, 22, 28 Tannsfield Drive - Object:

20, 22, 24, 28 Tannsmore Close - Object:

General

- This application not fundamentally different to the last which was refused
- Fails to deal with many shortcomings of the previous proposal
- Does not show property boundaries or management thereof
- Site plan relies on use of neighbour's land and should be revised
- No 20 Tannsmore Close incorrectly notated as 26 Tannsfield Drive on plan
- Reduction of roof height and slight narrowing of footprint has increased internal cramping of accommodation and lost the ability for loft storage
- Duplication of bins stores, cycle sheds and side alleys wasteful and narrows footprint giving cramped accommodation
- Rooms too small
- Would further exacerbate local drainage issues and waterlogging / flooding
- No reference to soakaways
- Sewage disposal problems through to 29 Ellingham Road will be exacerbated with an additional dwelling
- The Planning, Design and Access Statement distracts for many pages with photos on the facilities and desirability of the area which have never been in question
- Bin space inadequate
- Fails to meet sustainability checklist Appendix 1
- Would be more than happy with the previous approval for a detached property with garage

Highway, access and parking

- Inadequate space for manoeuvring cars
- Additional on-street / pavement parking to detriment of highway and pedestrian

safety

- Due to tandem parking, likely that only two cars would park off-street and remainder on-street
- Could be converted to three bedrooms relatively easily impacting on car parking
- Inadequate provision of car parking for three bed dwellings
- Contravention of buildings regulations with regards to disabled access
- The proposal may not comply with many Buildings Regulations vis a vis access
- Potential breaches of access design such that cannot be built as planned
- Each property should have fully independent access to parking
- Does not comply with Lifetime Homes standard for disabled parking
- Gravel access surfacing would not comply with Lifetime Homes standard for approach to dwelling from parking
- Insufficient wheelchair access alongside alleys
- Side alleys a security risk and challenging for access

Character of area

- Size of plot unsuitable for two dwellings
- three storey development out of character
- Semi-detached out of keeping
- Design would appear unsightly
- Cramped and overdeveloped, more so than previous refusal
- Reduction of roof height results in incongruous appearance with flat roof to rear to achieve 3 storeys
- Provides only half the area for each dwelling compared with other dwellings in the locality, including semi-detached
- Rear amenity space not adequate
- The comparison used with Ebbens Road is not valid as that is a completely different character
- Lack of active frontage due to no front doors out of keeping
- Lack of garages out of character with street
- Unclear why only No. 24 in the area should be permitted not to provide garages, when all others have garages
- Materials and finishes alien to street scene
- Alien design

Amenities

- Loss of light to properties opposite
- Overbearing to immediately adjoining properties
- Loss of privacy to adjoining properties
- Loss of privacy to No. 20 Tannsmore Close from a distance of less than 2 m
- Loss of light to lounge / dining room of No. 20 Tannsmore Close
- Loss of privacy from loft bedroom windows to all adjoining properties
- Loss of part of established hedge contrary to policy and would result in loss of privacy

Considerations

Background

Permission was granted in 2005 for a replacement detached dwelling following withdrawal earlier that year of a scheme for 4 flats. That permission has not been implemented.

Pre-application advice on two subsequent occasions in 2008 and 2013 was unsupportive in relation to schemes involving two dwellings on the site. The principle concerns related to design, scale, height not being appropriate and appearing cramped, impact on amenity of neighbours, inadequate car parking, dominance of parking, lack of opportunity for soft planting, over-development of the site. It was advised that a single detached dwelling of traditional pitched roof design would be likely to be more favourably considered.

An application for two semi-detached dwellings in early 2015 was refused on the grounds of overdevelopment, loss of privacy and light to No. 22 Tannsmore Close, and failure to demonstrate a sustainable form of development.

The current application is a revised scheme. However, there has been no pre-application discussion.

The principal changes relate to a reduction in depth by 0.85 metres and a change in design of the roof from a gable fronted form to a gable sided form to the front third, with the remaining rear two thirds contained under a high crown roof design. The accommodation remains 2 x 2-bed dwellings on three storeys. The size of rear private amenity areas is as before with the addition of cycle storage / sheds. At the frontage there is 0.85 metres more parking depth which allows for a footpath at the rear but the parking layout remains largely as before as two sets of tandem spaces with a shared access.

Policy and Principle

The site lies within the urban area of Hemel Hempstead wherein, under Policy CS4 of the Core Strategy residential development is acceptable in principle. The Character Appraisal states that opportunities are limited but redevelopment is acceptable and should be assessed according to the development principles.

The main issues in this case concern the effect of the proposal on the street scene, on the character of the area, residential amenity and highway safety.

Design, layout and impact on street scene

The application site relates to an existing bungalow within an otherwise built up frontage of detached 2 storey dwellings within the Adeyfield North area of Hemel Hempstead. It is accepted that it is of no particular architectural merit and itself appears incongruous to the surroundings, being both set back and the only bungalow in the area.

In accordance with the Character Area Appraisal HCA23, redevelopment is acceptable according to the Development Principles. The Development Principles state:

Design: No special requirements.

Type: Overall, no special requirements, but should pay respect to the type, style and mass of nearby and adjoining development.

Height: Should not normally exceed two storeys.

Size: Should respect the type, size and mass of nearby and adjoining development.

Layout: New development should follow the building line where this is clearly present. Spacing should respect that of nearby and adjacent development, and should normally be provided in the medium range (2m - 5 m).

Density: Should normally be provided in the medium range (30 to 35 dph (net)).

The proposal would comprise two semi-detached dwellings on a plot which is otherwise commensurate in size and width with plots in the immediate area on which single detached dwellings are contained.

This arrangement would not only be nearly double the intended density of the area but, as before, is considered to give rise to a cramped and over-developed form of development that would be out of keeping with the established character of detached dwellings.

Despite the additional 0.85 metres depth, the narrow plots and elongated layout to accommodate two dwellings would compromise the treatment of the frontage, resulting in almost no landscaping, and a dominance of hard surfacing and car parking on the frontage. Although, as before, the proposals do include a strip of low level planting along the frontage, either side of a shared access, this provision is considered insignificant and would fail to mitigate or break up the impact of the hard surfacing and parking within the street scene and would need to be kept below 600 mm height to enable suitable visibility to be maintained. The proposal is in this respect contrary to Policies CS12 (e and g) and CS13 (f).

Furthermore, given the intensification in use of the site, there is likely to be greater pressure to remove the frontage planting to enable easier access / manoeuvrability and use of the parking spaces by the occupants of each dwelling. Indeed, the highway authority has requested the need to provide a 4.8 m wide vehicle crossover which is likely to compromise the landscaping at the front. The planting is therefore likely to be short lived and of little overall benefit to the street scene. Whilst it is noted that many nearby and adjoining dwellings have chosen to hard surface their complete frontages under permitted development, this is generally against urban design best practice on new development. However, with the introduction of two dwellings on the site, this is inevitably going to invite this scenario to the detriment of the street scene and good planning.

The proposal is considered to be an over-development of the site and contrary to Policy CS11 (f) and saved Appendix 5 of the Borough Plan where it states that the achievement of parking provision at the expense of the environment and good design will not be acceptable. Large unbroken expanses of parking or excessive hard surfacing at building frontages are undesirable. All parking must be adequately screened and landscaped. The proposal is not considered to be adequately screened or landscaped.

Whilst the frontage is currently of poor quality, the opportunity should be taken to improve its appearance, its contribution to the setting of the development and the way it functions. In this respect it should be noted that NPPF states at Para 64 that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

A number of objections have been raised by residents to the design being out of keeping with the area. The design has been amended from the previous three storey gable fronted design to a more conventional roof in order to give the impression of a two storey design, ostensibly more commensurate with that on adjoining properties. The applicant states that the development would be comparable in width, height and depth to existing development in the area and would appear as a two storey dwelling within the street scene. The applicant appears to rely on the building only ever being viewed directly from the front (as illustrated in the proposed street scene view included in the Planning, Design and Access Statement). However, in reality, 99% of views are in fact oblique views with the true front-on view only ever being seen briefly in serial views along a road.

Although there are no special design requirements under HCA23, the design is considered contrived in that the two storey element relates only to the front third of the building, with the design of the remaining two thirds reverting to a clear three storey building under a shallow crown roof form. Not only would the latter appear obtrusive in its design, with the roof comprising a disproportionately small element of the overall height, but the conjunction of forms is considered inharmonious and, given that it would be visible in oblique views in the street scene, would clearly be seen to be harmful to the established character and appearance of the area of two storey dwellings under conventional pitched roofs. Moreover, in private views from the rear, including from Ellingham Road properties, the proposal would also appear visually incongruous with the design of adjoining dwellings, and overly assertive and harmful to the outlook of adjoining occupiers.

Furthermore, whilst noting the design changes from the previous scheme, including the slight increase in spacing of 0.1 metres to each side, it is considered that the 3-storey height and elongated form of the building, with no breaking up of its mass, together with the accentuated overhang of the roof verges would not only fail to harmonise with the prevailing 2-storey character of the area but would also serve to emphasise the cramped nature of the development and its over-developed appearance in the street scene. In the above respects, the proposal is considered contrary to Policy CS12, saved Policy 111 and the character assessment which seeks to ensure that new development respects the type, style, size and mass of nearby and adjoining development and should not normally exceed two storeys.

The applicant states that the development would have the appearance of a single dwelling. However, this is belied by the layout of the proposed dwellings which is considered to be poor in that the design involving side facing entrances results in a lack of active frontage to the further detriment of the street scene. The proposed dwellings should more positively address the street through the introduction of front doors in order to relate better to the character of the surrounding area. The poor design appears to be a result of the general lack of space for two dwellings on the site, and is further indicative of overdevelopment. The proposal is contrary to Policy CS13 in this respect.

Although concerns have been expressed that the private amenity space is too small at the rear of the proposed development and is not deep enough in accordance with design guides, the depth of space, although admittedly narrow, is nevertheless considered commensurate with many nearby and adjoining dwellings and, at 13.7 metres, would be more than the minimum 11.5 metre guideline in Appendix 3. Sufficient amenity space is therefore considered to be available.

However, on balance, the proposal fails to pay due respect to the height, type, style, size or mass of nearby and adjoining development and would be harmful to the appearance of the street scene and the character of the area. The proposal is therefore contrary to Policies CS11, 12 and 13 and guidance in HCA23.

Impact on highway safety, access and parking

The Highway Authority has raised no objections subject to conditions. Whilst it has intimated that revised plans have not been submitted as requested on the previous application to overcome previous concerns on manoeuvrability, these plans were in fact received although it is accepted that the Highway Authority was not reconsulted on that application. The concerns regarding the need for a swept path diagram are noted and additional details have been requested. In addition, clarification is sought over the width of the crossover as also requested and an update will be provided at the meeting.

Parking provision should accord with parking standards as assessed against Policy 58 and Appendix 5 of the Borough Plan. Cycle parking within the sheds is acceptable and accords with Appendix 5 requirement. As 2-bedroom dwellings, 1.5 parking spaces per dwelling should be provided and therefore the proposal technically meets with the standard in Appendix 5 with the provision of two spaces per dwelling.

However, it is noted that the second floor plan includes a shower room, cupboard and corridor which, given the main bathroom on the first floor, could easily be converted to a third bedroom with a little reorganisation. On this basis, the dwellings could be marketed as 3 bedroom properties wherein 2.25 spaces per dwelling should be provided, which would round up to 5 spaces for the development altogether. The proposal would potentially give rise to overspill parking to the further detriment of the appearance of the street scene and the character of the area (parking on verges / additional congestion). This can only add to the concerns expressed about over-development of the site.

It is noted that many residents have expressed concerns about overspill parking.

Impact on Neighbours

A number of general and specific objections have been received from residents.

Privacy - The immediately adjoining neighbour (No. 20 Tannsmore Close (No. 26 on the plan)) has raised concerns about loss of privacy. Concerns are raised at loss of privacy to the dining area and lounge via the high level window in the objector's property from the side entrance door and side lights within the development. Although the previous application was refused on these grounds, the plans have since been amended to omit the full height glazing within the development that would have offered

unrestricted views from the stairs and landing into the objector's property. In addition, all first and second floor side facing windows in the development are shown to be obscure glazed. In addition, given the 2 metre high fencing on the boundary and levels, it is not considered that there would be any material overlooking from the side door or side lights, even when opened, or even if someone was standing on the stairs. In the circumstances, subject to an obscure glazing condition and a requirement that the windows be fixed shut, the proposals in this respect are considered acceptable.

General concerns are also expressed at overlooking from rear and side windows into adjoining gardens. However, given obscure glazing and the distance to the rear of properties in Ellingham Road, considerably more than the minimum 23 m back to back distance set out in Appendix 3, the relationship is considered acceptable.

With regards to potential overlooking as a result of the potential loss of hedge at the rear, the plans have been amended to exclude the hedge from the site, which is understood to be within No. 22 Tannsfield Drive's demise.

Light - No 20 Tannsmore Close has raised objections on loss of light grounds to the dining room window. There would clearly be a loss of sunlight, and some loss of daylight, as a result of the new development, which would be accentuated by the three storey height of the development. This would be harmful to the established residential amenities of No. 20 but it is considered that a single detached dwelling could be appropriately designed to ensure any loss of light is minimised through siting, roof height and design. The applicant states that this relationship was previously considered acceptable on grounds that the window is high level, is not an original window and that the rear extension is served by patio doors that help to maximise luminance. However, the current proposal is for a three storey height building, and the window concerned is the main window serving the dining area which is a separate room from the room served by patio doors. The fact that it was not an original window is immaterial - it is existing and must be considered regardless.

No. 17 Tannsfield Drive opposite the site has raised objections on grounds of loss of light. However, given the distance, any loss will be insignificant and a refusal on this ground would be difficult to defend.

Outlook - a loss of outlook would also be experienced by No. 20 Tannsmore Close from the side window serving the dining room. However, given the window is high level, its main purpose is to provide light to the dining area. Therefore, a refusal on this ground would be difficult to substantiate.

The proposal is considered contrary to Policy CS12(c).

Sustainability

Policy CS29 of the Core Strategy seeks to ensure that development within the Borough is carried out sustainably and meets a number of criteria, inter alia, in respect of water conservation, SUDS, energy conservation, waste reduction, reuse of materials, etc. A number of residents have raised issues regarding localised flooding. A Policy CS29 checklist has been submitted which is considered acceptable and addresses the criteria of the Policy. In particular it is stated that surface water may be retained for grey water usage via cisterns or retaining butts. No details are provided and it is recommended that further details of SUDS should be secured by condition.

Policy CS29 and Para 18.22 also expect developers to complete a Sustainability Statement which, in accordance with the Sustainable Development Advice Note (March 2011), should be completed online through the carbon compliance toolkit, C-Plan. The applicant has promised the completion of a C-Plan statement and an update will be provided at the meeting.

Other matters

Concerns have been raised by a large number of residents in regards to compliance with accessibility requirements of the Building Regulations. The Building Control Officer has advised previously that the proposal would fail to provide adequate manoeuvrability for wheel chair users in that a 1.2 metre landing at the entrances will be required. The BCO also advised that the position from where a disabled person would alight from a car is gravelled surface and not "firm and even" as required. In addition, it was advised that the building did not comply in respect of the amount of unprotected openings which was limited to 1 sq metre on each elevation. Confirmatory advice of the BCO has been requested and an update will be provided at the meeting.

Reference is made to the development not complying with Lifetime Homes standards in respect of disabled parking, and provision of appropriate hard surfacing for wheelchair users. However, whilst saved Policy 18 refers to the need to design dwellings as life-time homes, this is only applicable on sites of 25 dwellings or more and then only a requirement for 10% of the dwellings to be adaptable. Therefore, the proposal is compliant with Policy in this respect.

In respect of land contamination issues, the Scientific Officer has previously recommended the standard contamination condition should permission be granted. As there has been no material change in circumstances since the previous application it is not expected that this recommendation will change. However, an update will be provided at the meeting.

S106 Planning Obligation

There is no requirement for contributions to physical and social infrastructure as required by the Council's adopted Planning Obligations Supplementary Planning Document as a result of the following two material changes:

1. The written Ministerial Statement of 28 November 2014 (House of Commons Written Statement - reference HCWS50) which set out proposed changes to national policy with regard to Section 106 planning obligations affecting small developments. This is reflected in an amendment to the National Planning Practice Guidance (NPPG). Paragraph 012 of Planning Obligations notes the following:

'There are specific circumstances where contributions for affordable housing and tariff style planning obligations (section 106 planning obligations) should not be sought from small scale and self-build development.'

The NPPG goes on to state that contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1000sqm.

This ministerial guidance and note within the NPPG was however quashed recently by the High Court following a judicial challenge by Berkshire CC and Reading BC.

2. The above notwithstanding, Dacorum has now introduced CIL from 1st July 2015 which means that levies are now applicable in place of s106 contributions.

The proposal therefore complies with saved Policy 13 and CS35 of the CS.

Conclusions

Whilst the principle of residential redevelopment is acceptable here in accordance with policy and HCA23, it is considered that the development of the site for two semi-detached dwellings in this case would appear cramped and result in an overdevelopment of the site which would be harmful to the surrounding context of detached dwellings by reason of pressure for on-street parking, dominance of cars and hard surfacing on the frontage, and unsatisfactory soft landscaping and enclosure to the site. Furthermore, the proposed height, size, design and appearance of the development would appear incongruous in its overall design, out of keeping with the surrounding two storey character and would result in harm to the established amenities of surrounding residential properties.

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

- 1 **The existing site is too restricted in its size and width to accommodate the development of two dwellings as proposed which, by reason of its height, size, design, layout and appearance, would appear unduly cramped on the site, obtrusive and out of keeping in its design, would fail to provide adequate soft landscaping, would result in intrusive car parking accommodation and hard surfacing on the frontage, would potentially result in overspill parking in the surrounding street, and would not be in keeping with the established detached character or form of surrounding residential development. The proposal would be an over-development of the site and harmful to the appearance of the street scene. The proposal is therefore contrary to Policies CS11, 12 and 13 of the Dacorum Core Strategy September 2013, saved Policies 100 and 111 of the Dacorum Borough Local Plan 1991-2011 and advice and guidance in Appendices 3 and 5 of the Local Plan and in the Character Area development principles in HCA23.**

- 3 **The proposed development, by reason of the height and positioning of the development, would result in a loss of light to the window serving the dining area of No. 20 Tannsmore Close. The proposal would therefore be contrary to Policy CS12(c) of the Dacorum Borough Core Strategy September 2013.**

Article 31 Statement:

Planning permission has been refused for this proposal for the clear reasons set out in this decision notice. The Council acted pro-actively through early

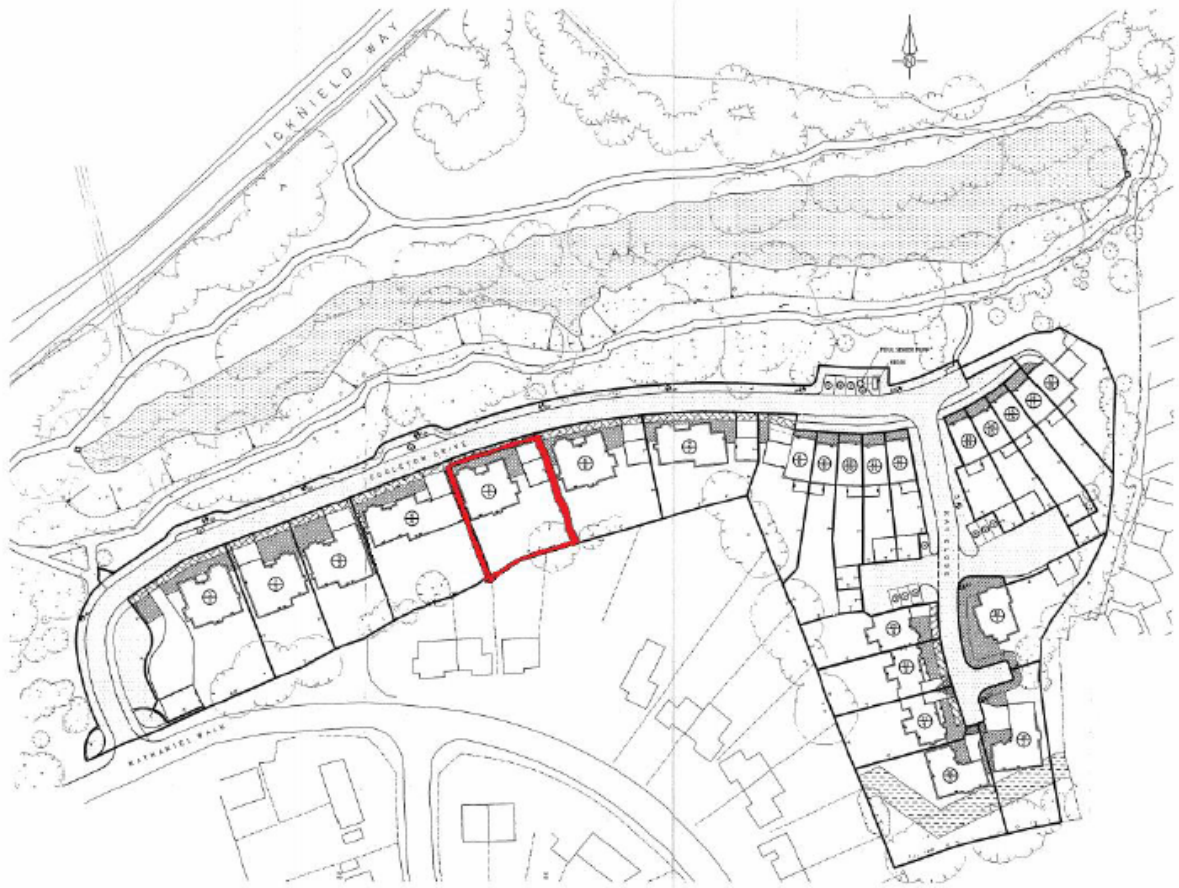
engagement with the applicant at the pre-application stage of the previous application. This positive advice has however been ignored and therefore the Council remains of the view that the proposal is unacceptable. Since the Council attempted to find solutions, the requirements of the Framework (paragraphs 186 and 187) have been met and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

Item 5.03

4/03254/15/FHA - LOFT CONVERSION INCLUDING ROOF ENLARGEMENT AND SINGLE STOREY SIDE EXTENSION

5 EGGLETON DRIVE, TRING, HP23 5AJ

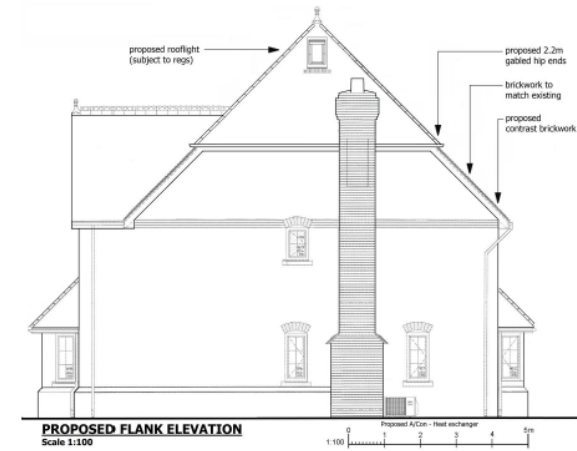
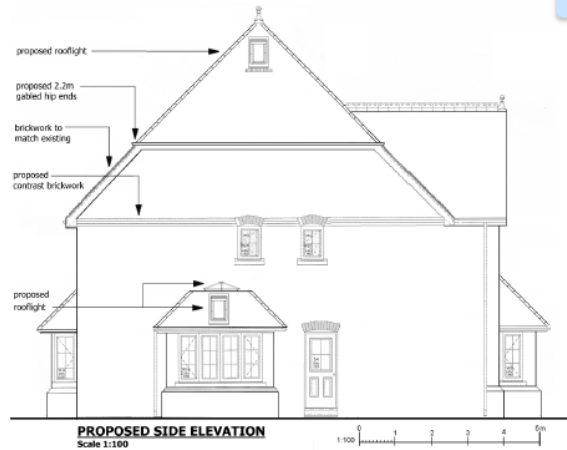
SITE LOCATION PLAN



Item 5.03

4/03254/15/FHA - LOFT CONVERSION INCLUDING ROOF ENLARGEMENT AND SINGLE STOREY SIDE EXTENSION

5 EGGLETON DRIVE, TRING, HP23 5AJ



**4/03254/15/FHA - LOFT CONVERSION INCLUDING ROOF ENLARGEMENT AND SINGLE STOREY SIDE EXTENSION.
5 EGGLETON DRIVE, TRING, HP23 5AJ.
APPLICANT: MR WALL.**

[Case Officer - Tineke Rennie]

Summary

The application is recommended for approval.

The principle of appropriate residential development is encouraged in this location. The roof alterations and single storey side extension are of a minor scale that will not be harmful to the character of the area or the overall streetscene. The proposal will not result in any loss of amenities to neighbouring properties. The proposal therefore accords with Policies CS4, CS11, CS12 of the Core Strategy and saved Appendix 7 of the DBLP 1991-2011.

Site Description

The application site is situated within the residential area of Tring and comprises a two-storey detached dwelling. The property was built in the early 2000s. The development of which this forms part of is accessed from Nathaniel Walk and comprises of chiefly detached and substantial 4-5 bed properties, although there is a split row of townhouses at its eastern end. The dwellings are based on three slightly varied designs but predominantly feature front facing gables with hipped and pyramid roof forms. Loft conversions have been granted permission for two of the group of seven dwellings.

The dwellings are located opposite an Ecological Park that was formed as part of the original housing development comprising dense vegetation around a lake. The verdant dense vegetation screens the frontages of the dwellings of Eggleton Drive from wider public viewpoints.

Proposal

The proposal is for a loft conversion and enlargement of the roof space (to create new en-suite bedroom and attic space) and an enlargement of the side ground floor bay window from 1.0m depth to 2.0m depth. Within the applications the applicant has followed through with the plans for the hipped roof form (as advised by the case officer in pre-application discussion ref. 4/01595/15/PRE).

The proposal is a revision to the planning application ref. 4/02296/15/FHA that was refused by the Development Control Committee on 8th September 2015 on the grounds that: "the roof extension fails to integrate with the streetscape character, and fails to respect adjoining properties in terms of scale, height and bulk, contrary to Policy CS12 of the Core Strategy."

The applicant has subsequently amended the proposals to address the concerns raised by the Committee by reducing the proposed height of the eaves on the flank elevations from 2.8m to 2.2m so that the chimney no longer needs to be raised; the width of the ridge from 7.6m to 6.2m; and the number of veluxes proposed.

Further amendments have been made during the course of this application which includes further reducing the number of velux windows so that only three are proposed to the front elevation. The rear extension has also been removed from the proposals and replaced with a minor increase in depth to the side bay window that serves the breakfast area. A total depth of 2.0m is now proposed so that the bay window will have a total external projection area of 6.4m².

Referral to Committee

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

Relevant history

4/01644/01/FUL - 23 DWELLINGS AND PROVISION OF ECOLOGICAL PARK
4/02296/15/FHA LOFT CONVERSION INCLUDING ROOF ENLARGEMENT AND SINGLE
STOREY SIDE AND REAR EXTENSION
Refused
08/09/2015

4/01595/15/PRE LOFT CONVERSION
Unknown
01/06/2015

Policies

National Policy Guidance

National Planning Policy Framework (NPPF)
National Planning Policy Guidance (NPPG)

Adopted Core Strategy

NP1 - Supporting Development
CS1 - Distribution of Development
CS4 - The Towns and Large Villages
CS8 - Sustainable Transport
CS9 - Management of Roads
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS13 - Quality of Public Realm
CS28 - Renewable Energy
CS29 - Sustainable Design and Construction
CS30 - Sustainability Offset Fund
CS31 - Water Management
CS32 - Air, Water and Soil Quality
CS35 - Infrastructure and Developer Contributions

Saved Policies of the Dacorum Borough Local Plan

Policies 10, 58, 99

Appendices 3, 5 & 7

Summary of Representations

Comments received from local residents:

The following comments were received from the residents of 3 Eggleton Drive on 21st December 2015:

We wish to formally object to the development proposed and we have several concerns about the impact of the proposed planning application.

Once again we are not against a loft conversion as long as it does not involve a house elevation / modification of the house external appearance. The changes proposed are still minimal in comparison to the previously declined requests and we are firmly opposing the proposed planning request as it will result in a building completely out of character in the context of a harmonious purpose built Linden estate.

Our concerns expressed in previous e-mail remain current.

“Eggleton Drive” - Dundale Park is a Linden Homes, prestigious lakeside development on a single track Private Road ending in a cul-de-sac. This development features similar design houses to create a beautiful context.

Having had sight of the proposed the drawings and simulated photos on display at the meeting at Tring Town council on 14th December 2015 we believe it is imperative that any modification of the external appearance of the houses of this estate is constructed in keeping with the existing properties.

Please see our concerns with the above proposed planning application as we believe this will have an adverse effect on the residential amenities:

Over-development: The changes of the roof are still dramatic and change radically the scale of the property. This is set to become a 3 storey house in the context of 2 storey properties. The submitted photos are of the roof of townhouses which are not adjacent to Nr 5. I.e Nr 5 Eggleton Drive is not adjacent to any townhouse. Townhouses are designated 3 storey buildings which are a feature of the end of the street.

Loss of Light: this will be as a consequence of the elevation of the building and will affect nr 4 and nr 6 properties. The side of nr 5 will then look as a tall industrial building overlooking the neighbouring properties. The 2 side windows will definitely affect the neighbours' privacy.

Not in keeping with the street scene: The proposed development looks ugly, it is over-bearing, out-of-scale and out of character in terms of its appearance compared with existing development in the vicinity. The proposed development will affect negatively the desirability and will ruin the character and appearance of the existing properties. Mainly a gigantic mushroom sticking out from the roof area and covered in Velux windows. Not to mention “Velux” windows also on the front of the house. The ones on the back of the house we are concerned that they are at a height the

neighbours will be overlooked.

We do not object to the loft conversion providing it is carried out in keeping with the other properties (i.e. Nr 4 and nr 7 Eggleton drive).

Visual impact of the development Number 5 sits forward of nr 1-4 and nr 6, so it becomes the first property to expose its flank elevation. The extend of the brickwork in a relatively blank elevation will be unappealing and dramatically magnified. The design and the layout of the proposed front elevation (i.e. height of gable ends) is totally out of character in the context of "Eggleton Drive" - Dundale Park Linden Homes

Development and will have a negative impact on the visual amenity of the street. It is an ugly design and not in keeping with the same design of house No 6 (next door) and is not in keeping with the other houses in the road. It doesn't matter how much these gable ends are reduced in height they look awful in the first place. This is not a loft conversion but a creation of an additional storey.

Phase 2 family room at rear of property: the additional chimney stack planned as part of this extension will look unsightly and spoil the view of the other houses which will no longer share the character of a similar design and features. We also notice there will be hardly any garden left.

Traffic Generation/ Parking Issues: Eggleton Drive is single track Private Road with minimal parking facilities. No cars can be parked along the road unless in 2 bays. There are 2 bays along the road which are to be kept only for visitors (max 2 cars for each bay). The only permanent parking facilities for people living at Eggleton Drive are the garages attached at each single home and the drive in front of the garage of each house. The parking capability of each house is of max 4 cars (2 in the garage and 2 parked on the drive). If 2 cars are parked on the drive, the cars parked in the garage cannot be moved (i.e. at least one car parked on the drive needs to be moved to allow the cars parked in the garage to leave the premises generating annoyance, noise and fumes). There is no other parking facility allocated to Eggleton Drive. Hence if bays are occupied by permanent residents other residents will have difficulty in accommodating visitors.

The proposed planning will increase the number of double bedrooms to at least 7, increasing the number of people living in the house hence very likely the number of cars owned. If this planning permission goes ahead this will create a case for all the other houses getting a similar planning application approved hence the increase the vehicular access of Eggleton Drive way beyond the road capability. May I remind the panel that Eggleton Drive ends in a cul de sac (Kay Close) hence any vehicle accessing the road need reversing to leave the area.

The worst case scenario will be cars obstructing an emergency vehicle which very serious consequences to people and properties.

In the planning application they compare the size of Nr 4 roof to theirs and other houses in the street stating it is 80% of the bulk of No 4 and it will be because the house roof is of a completely different design and their house is smaller than Nr 4 so this statistic isn't relevant. The pictures that have been submitted of the 2 front elevations is misleading because the camera has taken the picture from the ground fairly close to the house (a sort of insect's view) pointing up to the roof so it is shadowing the proposed changes which can hardly be seen from this angle of the

camera lens

In summary, we are very concerned that if this is granted permission what is going to happen in the road with other future planning requests and developments because there will definitely cause a loss of the road's current beauty and character.

Comments received from the residents of 6 Eggleton Drive

The following comments were received on the 20th December 2015 following the submission of revisions:

The proposed changes are **minimal** in comparison to the previously declined planning requests. The proposed plans for a loft conversion results in a house that is out of character / not in keeping with the other houses along Eggleton Drive. As such we remain firmly against this latest planning request from No 5 Eggleton Drive and our concerns are expressed again as follows.

We do not object to the loft conversion providing it is carried out in keeping with the other properties in our beautiful development such as the work undertaken at number 4 and plans for No 7.

1) **Over development** - The changes to the roof are very dramatic and change the scale and proportion of the property completely to dominate the house. The design of the loft extension does not increase the height of the existing roof or extend beyond the exterior walls but it does increase the ridge line by 4.6m and introduces a half gable hipped gable at 2.4m high.

2) **Loss of light** - The development will impact on our quality of light, and could cast shadows over our garden at times. The end gables will look very tall and dominate the appearance of our house and number 4 and we feel the side of the house will look like the side of a tall warehouse.

3) **Not in keeping with street scene** - The proposed development looks ugly, over-bearing, out of character and proportion in terms of its appearance compared with existing properties on the development. The number of velux windows (even though 2 have been removed on the front elevation from the last application) draw attention to what is already a large expanse of roof. Velux windows do not feature significantly in the area and particularly not on the street elevation (Front of the house). Houses number 5 and 6 (ours) have been designed and built as a matching pair in the road and for number 5 to alter the design, fabric and elevation of the building of such large significance as proposed will have a large impact on the look of the house against the other houses in the road and our development.

4) **Phase 2 family room at rear of property** - We do not object to this, however we do object strongly to the additional chimney stack planned as part of this extension as it will look unsightly and spoil our view from our garden and will no longer share the character of a similar design and features in the area.

5) **Visual impact of the development:** we agree with the views of our neighbours at No 3's, i.e. *"Number 5 sits forward of nr 1-4 and nr 6, so it becomes the first property to expose its flank elevation. The extend of the brickwork in a relatively blank elevation will be unappealing and dramatically magnified. The design and the layout of the proposed planning permission is totally out of character in the context of "Eggleton Drive" - Dundale Park Linden Homes Development and will have a negative impact on*

the visual amenity of the street.”

We can see that the new planning application has been amended to reduce the impact the previous application had and we feel the changes are **very insignificant** and have not changed much from the original planning application. We do not object to the loft conversion or the family room providing it is carried out in keeping with the other properties on the development.

Comments received from residents 4 Eggleton Drive:

The following comments were received on 21st December 2015 following the submission of revisions:

We live at No 4 Eggleton Drive (next door to No 5) and we have viewed the revised proposed planning request. It looks as though the changes proposed are minimal in comparison to the previously refused planning request (1st Application) and the roof extension still fails to integrate with the streetscape character and fails to respect adjoining properties in terms of scale, height and bulk. The proposed changes are as follows:

1. **Height of gable ends reduced** – This is the part we object to strongly because it is an ugly design and not in keeping with the same design of house No 6 (next door) and is not in keeping with the other houses in the road. It doesn't matter how much these gable ends are reduced in height they look awful in the first place.
2. **Height of chimney no longer requires to be changed** – Noted and so it should be to be kept in keeping with the other houses in the road
3. **Width of ridge reduced** – See point 1. Not by much at all to affect the overall look.
4. **Number of Velux windows reduced** – Our complaint is Velux windows do not feature significantly in the area and particularly not on the street elevation. It is not the quantity of them, they just will look awful on the front of the house. The ones on the back of the house we are concerned that they are at a height where we will and the neighbours will be overlooked.

In the planning application they compare the size of our roof to theirs and other houses in the street stating it is 80% of the bulk of No 4 and it will be because the house roof is of a completely different design and their house is smaller than ours so this statistic isn't relevant. The pictures that have been submitted of the 2 front elevations is misleading because the camera has taken the picture from the ground fairly close to the house pointing up to the roof so it is shadowing the proposed changes which can hardly been seen from this angle of the camera lens.

Phase 2 family room at rear of property - We do not object to this, however we do object strongly to the additional chimney stack planned as part of this extension as it will look unsightly and will no longer share the character of a similar design and features in the area.

In summary, we are very concerned that if this is granted permission what is going to happen in the road with other future planning requests and developments because there will be a high risk of losing all the roads current beauty and character. The proposed loft conversion (which is a conversion of a 2 storey house into a 3 storey

house, not a loft conversion) results in a house that is out of character / not in keeping with the other houses (this house currently matches No 6) along Eggleton Drive. As such we remain firmly against this latest planning request from No 5 Eggleton Drive and our concerns are expressed in a previous e-mail (copy below) which remain current. We are also concerned with the increase in the number of bedrooms that this may also have an impact with an increase in the number of cars and parking in our road.

Tring Town Council

Comments received from Tring Town Council following consideration of revisions to the scheme:

The Council recommended **refusal of** this application on the following grounds:

1. Eggleton Drive was an architect designed development as a whole concept. The scale of the proposed changes to No. 5 would be out-of-keeping with the original concept
2. The pre-application advice given to the applicant included a preference for dormer windows as being in-keeping with the street scene. The applicant did not follow this advice because its application would not generate the space required because of the internal layout of the dwelling. The use of gabled hip ends to achieve the goal means that the proposed development is effectively an additional storey not a loft conversion
3. The resulting scale of the proposed development is out-of-keeping with neighbourhood

Whilst the number of velux windows have been reduced, they are considered to be out of keeping with the street scene

Hertfordshire Ecology

Comments have not been received from Hertfordshire Ecology in relation to this application however the comments made on the previous application remain relevant and applicable to this application:

1. We have no bat records from Eggleton Drive itself but there are records from adjacent roads and properties. Furthermore bats will be using the adjacent Dundale wood and lake Wildlife Site, so it is clear bats are active throughout this area, and could potentially be using the roof space of the property.
2. The proposals themselves will have a significant impact on the existing roof, and will affect any bats that may be present.
3. Although the properties are relatively recent, this in itself would not preclude bats from using them – they have been known to roost even within modern warehousing. However, it is apparent from the available Google streetview that the roofs are in very good condition with little or no missing or gaps between tiles. Furthermore the soffits are also modern, in good condition and tightly fitting leaving little or no gaps of any

kind.

4. On this basis I consider that the potential bat access to the roof is most likely to be negligible and that it is therefore unreasonable for the LPA to require a bat assessment on this occasion.

5. However, bats and their roost remain protected and could still be unexpectedly discovered during the course of any works. Consequently **I advise that an informative is placed on any approval to the effect that:**

- *If bats or any evidence of them is discovered during the course of any works, works should stop immediately and advice sought as to how to proceed. This may be obtained from: A suitably qualified ecological consultant; Natural England: 0845 6014523; The UK Bat Helpline: 0845 1300228 or Herts & Middlesex Bat Group: www.hmbg.org.uk ;*
- I am not aware of any other ecological issues associated with these proposals for which I have any significant concerns.

Considerations

The site falls within the urban area of Tring wherein the principle of extensions is acceptable. The key issues to consider relate to the impact of the proposed works on the character and appearance of the original building and street scene, the impact on the amenities of neighbouring properties and adequacy of car parking.

Effect on appearance of building

Policy CS12 states that development should respect adjoining properties in terms of scale, height and bulk.

Converting the existing space via the inclusion of dormers has been the approach taken with Nos. 4 and 7 Eggleton Drive (resp. 4/1391/04 and 4/0683/14). However, it is recognised that this does not always maximise opportunities to increase living space and the concern of the applicant that part of the floor area would effectively be lost to the stairs in order to gain access.

The roof area would be increased outwards from the ridge line (by 5.3m) rather than upwards so that the existing ridge height is maintained. To support the increase in width of the ridgeline and the half-hip roof, the flank elevations have been increased in height from the eaves.

The applicant has taken on board previous concerns about the additional bulk at roof level that would be created as a result of this approach, and subsequently reduced the ridge width by 1400mm and lowered the eaves of the gabled hip ends by 600mm. As a result the reduction in bulk at roof level is much more proportionate to the size and scale of the dwelling.

It is also important to note the unusual pyramid design of the roof which features significant ridge height and therefore bulk at roof level; the proposals would increase this existing bulk to an extent that is not considered to be disproportionate to the dwelling.

The half hipped ends reduce the impact of the enlarged roof area and end elevations, keeping the extension more subordinate, maintaining the general character of the dwelling and not detracting from the appearance of the original building.

The increase in depth of the side projecting bay window by 1.0m is minimal and the extension is considered to be acceptable.

Effect on street scene

The properties that make up this development have a strong overall character given they were built at the same time to a broadly similar design and palette of materials. As a rule of thumb, the roofs tend to be large reflecting the substantial size of these properties. However, they display slight variations in terms of design particularly in respect of the roof form. A number of the properties exhibit the same broad bulk of roof as that proposed (e.g. Nos. 3 and 7 Eggleton Drive), especially the town houses. Thus what is proposed is not considered to be out of keeping with the character of houses in this locality.

While the properties are built in a row, the road curves slightly and it is narrow. There are also a number of garages that extend forward of the building line. Eggleton Drive is also edged by a tall hedge line which screens it from the view of the Ecological Park on the opposite side of the road. These factors mean that any changes to the property will not be so visible/dominant as to detract from the general uniformity of the other houses.

The roof of the dwelling to the front elevation cannot be viewed from any distance further than the opposite side of the narrow road (approximately 13.5m). On this basis, any public viewpoint of the front elevation will be looking almost directly upwards towards the ridgeline. The gables of the two front projections dominate the view and obscure a significant proportion of the additional bulk created by the proposals.

The proposal includes a relatively large number of rooflights within the roof structure, however, with the removal of the lower level rooflight in the front elevation, as requested, these windows are placed in a symmetrical form and will not be so harmful to the appearance of the dwelling to justify refusal. Furthermore due to the obscured viewpoints of the roof as outlined above, the roof lights would not be so visible and dominant in the streetscene. It should be noted that in most urban situations that are not subject to an Article 4 Direction the insertion of rooflights is permitted development and falls outside planning control. There is no Article 4 Direction for this area.

The proposed extension to the existing side bay window would be well set back from the street scene and predominantly obscured by the 1.8m high close boarded timber fence and vegetation.

When considered in the context of the surroundings including the nearby three storey town houses, the proposals are not considered to be out of keeping or have an adverse visual effect on the streetscene.

It is recommended that the materials of the proposed extension match the existing dwelling. This will allow the proposed extension to harmonise with the original design and character of the house in terms external finishes (required by saved Appendix 7 of

the Dacorum Borough Local Plan).

Effect on amenity of neighbours

Policy CS12 states that regarding the effect on the amenity of neighbours, development should avoid visual intrusion, loss of light and loss of privacy.

Visual intrusion & loss of privacy

Adequate spacing (of at least 23m) exists between the property and its rear neighbour on Nathaniel Walk, including landscaping at the shared rear boundary. There is reasonable spacing between its side neighbours because of the existence of existing garages on the side boundaries of adjacent properties. The additional development at roof level is contained within the existing footprint and consequently would not have any impact on the adjoining properties in terms of being overbearing or creating a sense of enclosure.

All velux windows at roof level will form part of the roof slope and are inset from flank walls. Due to the angled position of the velux windows combined with the distance separation between the dwelling and the adjoining properties to the rear and side there would be no significant impact in terms of visual intrusion and loss of privacy.

The single storey side extension is small scale and due to its height and separation between adjacent properties will not result in any loss of amenities.

Loss of light

The roof area will be increased but this will remain within the existing extent of the property (rather than extending beyond it and closer to the neighbours). In accordance with BRE guidelines there would be no breach of any daylight/sunlight angles that would result in any significant loss of light to adjoining properties.

The hipped gables will reduce some of its impact by allowing additional levels of light compared to a gable treatment.

Car parking and access

A new bedroom would be created by the development. There would be sufficient on-site parking for this proposal. The property is provided with a double garage which would allow for 4 cars to be parked off road. Policy 58 indicates a maximum of 3 parking spaces should be provided for a 4 bedroom (plus) property. The provision of three parking spaces would be considered appropriate in this instance to accord with Core Strategy Policy CS8, saved DBLP policy 58 and Appendix 5.

Ample space also exists on the road for off-street parking (without restrictions). This is considered to be a satisfactory parking arrangement. Therefore the proposal would not have any parking implications for the immediate area.

Community Infrastructure Levy (CIL)

Policy CS35 requires all developments to make appropriate contributions towards infrastructure required to support the development. These contributions will normally

extend only to the payment of CIL where applicable. The Council's Community Infrastructure Levy (CIL) was adopted in February 2015 and came into force on the 1st July 2015. Due to the small-scale nature of this application, it is not CIL Liabile.

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

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

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

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

Reason: To ensure a satisfactory appearance to the development and to accord with adopted Core Strategy Policy CS12.

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

Drawing No. 3 Rev 2;
Drawing No. 5 Rev 2;
Drawing No. 7 Rev 2.

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

Article 35 Statement

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which lead to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

INFORMATIVE:

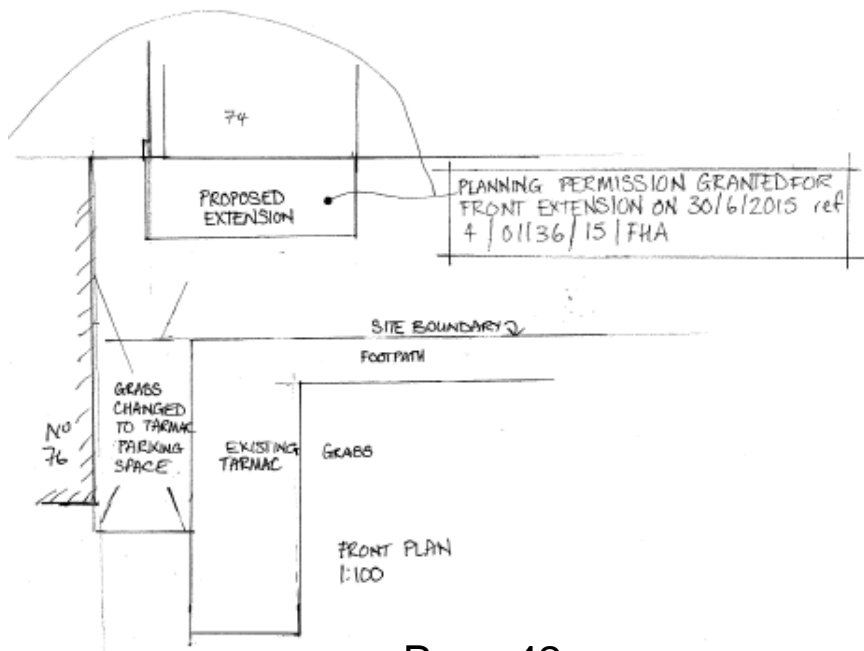
If bats or any evidence of them is discovered during the course of any works, works should stop immediately and advice sought as to how to proceed. This may be obtained from: A suitably qualified ecological consultant; Natural England: 0845 6014523; The UK Bat Helpline: 0845 1300228 or Herts & Middlesex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

Agenda Item 5d

Item 5.04

4/03473/15/FUL - CHANGE OF USE OF AMENITY SPACE TO SINGLE CAR PARKING SPACE

74 LOCKERS PARK LANE, HEMEL HEMPSTEAD, HP1 1TJ



4/03473/15/FUL - CHANGE OF USE OF AMENITY SPACE TO SINGLE CAR PARKING SPACE.

74 LOCKERS PARK LANE, HEMEL HEMPSTEAD, HP1 1TJ.

APPLICANT: MR & MRS BEARDON.

[Case Officer - Tineke Rennie]

Summary

The application is recommended for approval. The strip of amenity land is narrow and serves no practical purpose due to its position adjoining a flank wall and bounded by the existing tarmac driveway. Whilst it provides some visual relief with the provision of grass, this is minimal due to its location and size. The change of use would have a negligible impact on the streetscene and highway safety due to the small scale and location of the proposals and is therefore considered to accord with adopted Core Strategy Policies CS12 and CS8.

Site Description

The application site is currently occupied by a two-storey end of terrace dwelling located on the south-eastern side of Lockers Park Lane. The terraces are staggered following the alignment of Lockers Park Lane; No. 74 is the last dwelling in the northernmost row. A dropped kerb and vehicle access to an off-street parking space has been created over a triangular green fronting the properties. There is a public footpath that runs along the outer edge of the open-plan garden and which crosses the tarmac driveway.

Dwellings within this terrace row feature shallow and landscaped front gardens immediately adjoining the green; some have created off-street parking spaces within their frontages.

Proposal

Planning permission was granted on 30th June 2015 for a single storey front extension to the application site (ref. 4/01136/15/FHA). Implementation of this front extension will displace the existing parking space created in front of the dwelling; the loss of which was considered acceptable as part of the proposals. As such, the applicant is seeking to create a new parking space adjoining the flank elevation of No. 76 Lockers Park Lane. The space will be positioned towards the front of the flank elevation, in line with the front building line of the terrace of which No. 76 forms. The space will be in tarmac, replacing the existing grass strip.

Although it is not quite clear from the submitted documents, it is assumed that the existing tarmac drive that currently serves as access to the parking area would be retained but in itself is not used for parking. There is also a dropped kerb along the whole width of the site's frontage and thus there would be no need to drop the kerb.

The strip of land is Council owned and the applicant intends to purchase this land from the Council. A letter dated 14th August 2013 from the Council's Valuation and Estates indicated that the purchase may be acceptable subject to conditions of purchase.

The proposal therefore seeks a change of use from amenity green to parking space associated with the residential use of No. 74.

Referral to Committee

The application is referred to the Development Control Committee as the application site area subject to the change of use proposal is Council owned land.

Planning History

4/01136/15/FH SINGLE STOREY FRONT EXTENSION

A

Granted
30/06/2015

4/00308/15/FH SINGLE STOREY FRONT EXTENSION AND CONVERSION OF
SMALL AREA OF COUNCIL OWNED LAND TO CAR PARKING
SPACE.

A

Withdrawn
18/03/2015

4/01137/15/FU CHANGE OF USE OF AMENITY SPACE (COUNCIL OWNERSHIP)
TO SINGLE CAR PARKING SPACE TO FRONT OF 74 LOCKERS
PARK LANE

L

Withdrawn
19/03/2015

4/03079/14/EN PLANNING PERMISSION FOR EXTENSION AND CAR PARKING
AT PROPERTY

Q

Unknown
29/10/2014

4/03251/14/PR SINGLE STOREY FRONT EXTENSION AND PARKING SPACE

E

Unknown
09/12/2014

Policies

National Policy Guidance

National Planning Policy Framework (NPPF)
National Planning Policy Guidance (NPPG)

Adopted Core Strategy

NP1 - Supporting Development
CS1 - Distribution of Development

CS4 - The Towns and Large Villages
CS8 - Sustainable Transport
CS9 - Management of Roads
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS13 - Quality of Public Realm
CS26 - Green Infrastructure
CS28 - Renewable Energy
CS29 - Sustainable Design and Construction
CS31 - Water Management
CS32 - Air, Water and Soil Quality
CS35 - Infrastructure and Developer Contributions

Saved Policies of the Dacorum Borough Local Plan

Policies 10, 58, 99
Appendices 3, 5, 6

Supplementary Planning Guidance / Documents

Environmental Guidelines (May 2004)
Area Based Policies (May 2004) - Residential Character Area BCA 9: Hammerfield North

Advice Notes and Appraisals

Sustainable Development Advice Note (March 2011)

Summary of Representations

Hertfordshire Highways

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

Decision Hertfordshire County Council (HCC) has no objection to the proposed development subject to the conditions detailed below.

Conditions Construction Traffic (Parking)

SHC 25: Development shall not commence until a scheme detailing provision for on-site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.

Reason: To ensure adequate off-street parking during construction in the interests of highway safety.

Construction Traffic Management and Routing / Exceptional Wear and Tear

SHC 26A: Prior to the commencement of any works a Construction Traffic Management Plan and Access Route which shall incorporate adequate provision for addressing any abnormal wear and tear to the highway shall be submitted to and approved in writing with the Local Planning Authority in consultation with Hertfordshire County Council Highway Authority together with proposals to control and manage construction traffic using the 'Construction Traffic Access Route' and to ensure no other local roads are used by construction traffic.

Reason: In the interests of maintaining highway efficiency and safety.

Provision of Parking and Servicing Areas – Shown on Plan

SHC 21: Prior to the first occupation of the development hereby permitted (or Prior to the commencement of the use hereby permitted) the proposed access /on-site car shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

Reason: To ensure the permanent availability of the parking /manoeuvring area, in the interests of highway safety.

Cycle Parking – Not Shown on Plan but Achievable

SHC 24: No works shall commence on site until a scheme for the parking of cycles has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.

Reason: To ensure the provision of adequate cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport.

Description of the Proposal The proposal is for change of use of amenity space to single car parking space

The site is located within the Dacorum Borough Council (DBC) area. Analysis The applicant has not provided a Design and Access Statement (DAS).

Impact on Highway Network Road Safety Lockers Park Lane is a Local Access Unclassified Road within a large residential area. Due to the proximity to Lockers Park School It is likely that high volumes of pedestrian and vehicular traffic use the Public Highway during school opening and closing hours.

Collision data has confirmed there has been a single minor collision within last three years on Park Hill Road. Highway Layout Not applicable.

Refuse Storage The applicant has not provided any refuse storage area but any arrangements will need to be compliant with the DBC requirements. Parking There is a single parking provision with access through an existing Vehicle Cross Over. Cycle Parking The application has no provision for Cycle Parking but based on the planning documents submitted, suitable cycle parking can be provided. The provision for cycle parking needs to be in accordance with DBC parking standards. Accessibility The accessibility of the site is considered to be adequate for a residential development. Beechfield Road provides the nearest bus stop which is 500m from the proposed site. The bus route provides access into Watford, St Albans and surrounding areas. There is also appropriate footway access surrounding Beechfield Road.

Planning Obligations/ Community Infrastructure Levy (CIL) It is not considered that any planning obligations are considered applicable to the proposed development. Summary Hertfordshire County Council (HCC) has no objects to the application subject to the conditions listed.

Considerations

Policy and Principle

Amenity spaces and greens are defined in the Development in Residential Areas Supplementary Planning Guidance as "small areas of open undeveloped land within residential areas which may be space for landscaping, grassed verges or areas, or play space." The Dacorum Green Space Strategy 2011-2016 (January 2011) includes all publicly accessible green space and defines amenity green space as "areas providing opportunity for recreation close to home and/or providing a visual break in the urban environment. These areas are unlikely to include significant facilities but may be used frequently for play or informal ball games."

Supplementary Planning Guidance Area Based Policies for HCA 9 (Hammerfield South) states that "the inclusion of small areas of amenity land into residential curtilages is discouraged, but may be permitted where the appearance of the area is unharmed." Appendix 6 of the Local Plan acknowledges that narrow verges generally serve no practical purpose and can be a maintenance liability.

The strip of amenity land forward of No. 74 and adjoining the flank elevation of No. 76 has a width of approximately 2.5m and slopes down towards the flank wall. Due to its position adjacent to the flank wall and bounded by the existing tarmac drive it serves no practical purpose nor does it make any visual contribution to the area in terms of open space. It does slightly soften the appearance of the site through the provision of grass; however given the small scale of the strip this visual contribution is minimal.

Impact on Street Scene

The extension of the tarmac an additional 2.5m to align with the flank wall is considered to have a minimal impact on the street scene. This is due to the dominance of the flank wall and the established use of the area in front of the dwelling for the parking of cars. No structures are proposed and therefore the existing character of this frontage would be maintained.

The layout and use of the amenity greens fronting the staggered terraces would not be disrupted as a result of the proposals. Overall the impact on the streetscene would be minimal and as such the proposal is considered to accord with adopted Core Strategy Policy CS12.

Impact on Highway Safety

The property already benefits from a dropped kerb and vehicle access to the frontage. The addition of a parking space within the frontage of the dwelling would not give rise to additional traffic movements that would impact on highway safety. Highways have considered the proposal and raised no objection to the proposal.

Impact on Neighbours

The parking space adjoins a windowless flank wall and does not extend beyond the front building line of No. 76. As such there would be no impact on the amenities of this property in terms of noise and disturbance or visual intrusion. Similarly No. 72 is set back and located sufficient distance away.

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 **Prior to the commencement of the use hereby permitted the proposed on-site car parking space shall be laid out, demarcated and levelled in accordance with the approved plan and retained thereafter available for that specific use.**

Reason: To ensure the permanent availability of the parking /manoeuvring area, in the interests of highway safety.

- 3 **The parking space shall be constructed in permeable surfacing or shall incorporate a sustainable drainage system for the disposal of surface water from the parking area.**

Reason: To ensure the satisfactory disposal of surface water in accordance with Policies CS8, CS29 and CS31 of the Dacorum Core Strategy (September 2013).

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

Drawing No. 2 Rev C.

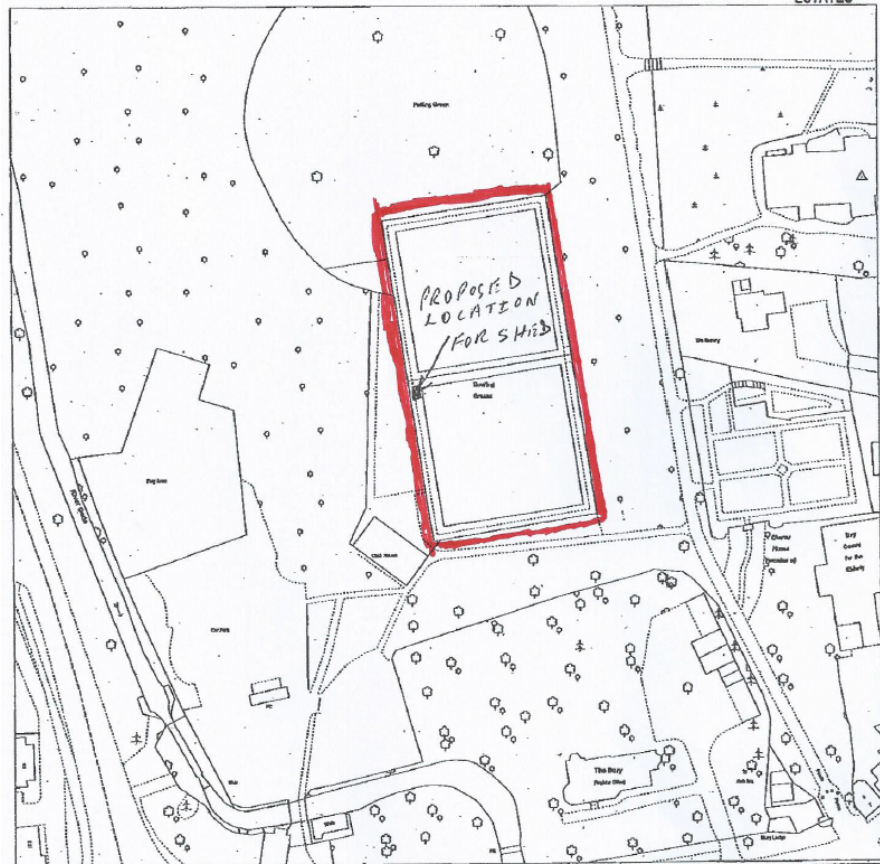
Reason: For the avoidance of doubt and in the interests of proper planning.

Article 35 Statement

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Item 5.05

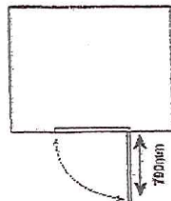
**4/03673/15/FUL - SMALL METAL STORAGE SHED.
HEMEL HEMPSTEAD BOWLS CLUB, GADEBRIDGE PARK, LEIGHTON BUZZARD
ROAD, HEMEL HEMPSTEAD, HP2 5HT**



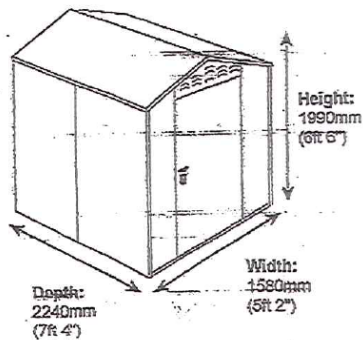
5 x 7* Metal Garden Shed - Dimensions

EXTERNAL MEASUREMENTS

Weight:
184kg (24 stone)
Door Aperture:
1710mm (5ft 7") x
747mm (2ft 5")



Door Clearance
790mm
(2ft 7")



**4/03673/15/FUL - SMALL METAL STORAGE SHED..
HEMEL HEMPSTEAD BOWLS CLUB, GADEBRIDGE PARK, LEIGHTON BUZZARD
ROAD, HEMEL HEMPSTEAD, HP2 5HT.
APPLICANT: MR J STREETER.**

[Case Officer - Tineke Rennie]

Summary

The application is recommended for approval. The proposal is for a very small scale storage facility for outdoor sport which is one of the exceptions defined as not being as inappropriate development in the Green Belt. Due to the small scale of the proposal and its position adjacent to a hedge that borders the bowling green the proposal would not impact on the openness of the Green Belt. As such the proposal is consistent with Paragraph 89 of the NPPF and Policy CS5 of the adopted Core Strategy.

Site Description

The application site is the Hemel Hempstead Bowls Club located in the south eastern corner of Gadebridge Park. The club comprises of two bowling greens surrounded by a hedge approximately 1.5m high; the clubhouse is diagonally positioned in proximity to the south-western corner of the bowling greens.

Proposal

The proposal is for the erection of a metal shed for the storage of low value bowls equipment to be used on the green. It will be positioned adjacent to the hedge aligning the bowling greens on the western boundary. Dimensions of the metal shed are 2.4m x 1.8m with a total area of 4.32m². The shed will have a shallow pitched roof with a height of 1990mm. It will be powder coated green or grey.

The shed would greatly assist in the functioning of the club. At present equipment is stored in a room limited in space. This room is positioned adjacent to the entrance lobby and there is a conflict with the removal of the equipment at the time of arrival of members and visitors.

The applicant has further detailed their requirement and the need for the facility as follows:

This shed facility will provide space for score boards mats and other ancillary related equipment, particular bowls gatherers of which we have only six which is insufficient when we have the maximum of six rinks in use. It is normal to have 2 bowls gatherers per rink i.e. one at each end.

The position of the clubhouse is in fact well away from the green/playing area and having this facility will make preparations for our games that much easier and less time consuming as it will be adjacent to the green.

Referral to Committee

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

Planning History

4/01336/93/4 SINGLE STOREY EXTENSION TO CLUBHOUSE
Granted
15/11/1993

Policies

National Policy Guidance

National Planning Policy Framework (NPPF)
National Planning Policy Guidance (NPPG)

Adopted Core Strategy

NP1 - Supporting Development
CS1 - Distribution of Development
CS5 - Green Belt
CS10 - Quality of Settlement Design
CS12 - Quality of Site Design
CS13 - Quality of Public Realm
CS23 - Social Infrastructure
CS26 - Green Infrastructure
CS28 - Renewable Energy
CS29 - Sustainable Design and Construction
CS31 - Water Management
CS32 - Air, Water and Soil Quality
CS35 - Infrastructure and Developer Contributions

Saved Policies of the Dacorum Borough Local Plan

Policies 99, 107
Appendix 6

Supplementary Planning Guidance / Documents

Environmental Guidelines (May 2004)

Summary of Representations

Environment Agency:

We have assessed this application and have identified flood risk as the only constraint at this site.

In this case the proposed development is a minor development in Flood Zone 3, so you will need to follow the 'minor extensions' and 'what to check in an assessment' sections to review the flood risk assessment.

Considerations

Green Belt and effect on the appearance of the area

The NPPF supports opportunities for outdoor sport and recreation in the Green Belt. Paragraph 81 states that Local Authorities should plan positively to enhance the beneficial use of the Green Belt for these purposes. Furthermore, small scale development of appropriate facilities for outdoor sport is not considered to be inappropriate in the Green Belt (paragraph 89) providing it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. Policy CS5 of the adopted Core Strategy supports this policy.

The proposed development would not conflict with the five purposes of the Green Belt which relate to containing development within large built up areas and preventing encroachment of the countryside. The storage shed will be a supporting facility for the use of the Bowling Green and therefore would serve to enhance the use of the Green Belt for outdoor sport and recreation in accordance with paragraph 81 of the NPPF.

The storage shed would only protrude slightly above the hedge surrounding the Green (approximately 500mm) and due to its small scale would have a negligible visual impact on its surroundings.

Due to its positioning close to the hedge it would have a minimal impact on the openness of the immediate area and Green Belt. It is also noted that there are a number of other structures and facilities associated with the recreational use of Gadebridge Park within the vicinity such as the bowls clubrooms, playground and public toilets.

The shed is of simple construction and is visually unobtrusive. As such the proposal would not have a detrimental impact on the character and appearance of the area and accords with Policy CS12.

Other Considerations

The proposal is for a minor development within Flood Zone 3 and therefore should be considered as a 'minor extension' within the Environment Agency Flood Risk Standing Advice (FRSA). Whilst the shed will sit on a base 50mm high it is unlikely to have a floor level 300mm above the expected flood level. However the purpose of the shed is for storage of low value equipment rather than habitation. Due to the use and very small scale of the shed it is considered that flood resistance and resilience measures would not be necessary in this instance; nor would the proposal contribute to any flood risk impact on the surrounding development.

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:**

**Shed Details Sheet Nos. 1(A); 1(B); 1(C);
Location Plan Sheet No. 2.**

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

Article 35 Statement

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Agenda Item 6

6. APPEALS

A. LODGED

4/02616/15/FUL CARDTRONICS UK LTD - MS L WOLSTENCROFT
PROPOSED INSTALLATION OF AN ATM AS A THROUGH
GLASS INSTALLATION. GREEN ACRYLIC SIGN NON
ILLUMINATED TO TOP OF ATM FASCIA WITH WHITE
LETTERING 'CASHZONE FREE CASH WITHDRAWALS'
99 HIGH STREET, MARKYATE, ST ALBANS, AL3 8JG
[View online application](#)

B. WITHDRAWN

None

C. FORTHCOMING INQUIRIES

4/02263/15/ENA HAMBERLINS FARM - MR G EAMES
APPEAL AGAINST ENFORCEMENT NOTICE
LAND AT HAMBERLINS FARM, HAMBERLINS LANE,
NORTHCHURCH, BERKHAMSTED, HP4 3TD
[View online application](#)

D. FORTHCOMING HEARINGS

None

E. DISMISSED

None

F. ALLOWED

4/03763/14/MFA Spectrum (Hemel Hempstead) Ltd
CHANGE OF USE OF FOUR LONG TERM VACANT RETAIL
UNITS AT PODIUM LEVEL OF BLOCKS C AND D TO A

TOTAL OF 15 ONE AND TWO BEDROOM CLASS C3
APARTMENTS
IMAGE DEVELOPMENT, LEIGHTON BUZZARD ROAD,
HEMEL HEMPSTEAD
[View online application](#)

The Inspector noted that a change of use from Class A to residential use is not explicitly prohibited by Policies CS16 or CS33, and Policy CS4 encourages a mix of uses in the town centre, including residential.

Given vacant capacity in the town centre, the Inspector considered that the loss of units from the appeal site could be absorbed without significant threat to the health of the town centre in quantitative terms.

She considered that the marketing evidence pointed to the appellants having approached a wide variety of retailer, including local companies, and there is evidence of marketing for more than five years. Furthermore she noted that there is no objective criteria within policy by which to assess the adequacy of marketing. She considered that the rental level at which the units had been marketed to be considerably less than the £25-30 per sq ft achieved within the town centre and the £40 per sq ft offered at the Riverside shopping centre. She also considered that speculative sub-division of the units, as suggested by the Council, could be costly and abortive should the units remain unlet. She also had regard to the practicality of the servicing arrangements by lift and the length of time the units had been marketed including the concerns raised in regards to the information on the website and the 'Petal' and 'Serenity' hoardings in place. Nevertheless, she was satisfied that the appellant had provided sufficient justification for the change of use.

With regards to quality and placemaking, she was satisfied that with the other commercial uses, including retention of Unit 3 which is vacant, at the northern end of the podium, together with sensitive landscaping, an active frontage could be maintained.

The Inspector considered that the Apsley Lock site was not comparable to the appeal location given its distance from the town centre and distinct catchment. She also considered that there was no compelling evidence to conclude that investment in the town centre would lead to greater footfall through the Image development.

On balance, the Inspector considered that the proposal would not cause harm to the vitality and viability of the town centre, and would accord with Policies CS4, CS16 and CS33, and the NPPF.

The Inspector did not consider a condition requiring directional signage to the remaining retail units necessary to make the development acceptable in planning terms.

Costs

Cost were awarded against the Council on grounds that its acted unreasonably in failing to substantiate the sole reason for refusal, therefore resulting in additional

costs for the appellant associated with submitting the appeal.

The Inspector noted that none of the policies referred to by the Council on the decision notice include criteria on its requirements for marketing, and as such there is no guidance as to how the full commitment to marketing that was required by the Council might be demonstrated. Consequently the conclusion reached by the Council that the marketing evidence was insufficient to grant planning permission was unsupported by any objective analysis.

7. EXCLUSION OF THE PUBLIC

To consider passing a resolution in the following terms: That, under s.100A (4) of the Local Government Act 1972 Schedule 12A Part 1, as amended by the Local Government (Access to Information) (Variation) Order 2006, the public be excluded during the items in Part II of the Agenda for this meeting, because it is likely, in view of the nature of the business to be transacted, that if members of the public were present during these items there would be disclosure to them of exempt information relating to: Items 8 and 9

Agenda Item 8

By virtue of paragraph(s) 7 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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Agenda Item 9

By virtue of paragraph(s) 7 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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