



Public Document Pack

DEVELOPMENT CONTROL AGENDA

**THURSDAY 30 JULY 2015 AT 7.00 PM
COUNCIL CHAMBER - CIVIC CENTRE**

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

Membership

Councillor Collins (Chair)
Councillor Guest (Vice-Chairman)
Councillor Birnie
Councillor Clark
Councillor Conway
Councillor Maddern

Councillor Matthews
Councillor Riddick
Councillor Ritchie
Councillor Sutton
Councillor Whitman
Councillor Wyatt-Lowe

For further information, please contact Catriona Lawson 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.

5. INDEX TO PLANNING APPLICATIONS (Pages 1 - 2)

6. 4/00775/15/FUL 10 ATHELSTAN ROAD, HEMEL HEMPSTEAD, HP3 9QE (Pages 3 - 20)

7. 4/01173/15/FUL 10 ATHELSTAN ROAD, HEMEL HEMPSTEAD, HP3 9QE. (Pages 21 - 28)

8. **4/00884/15/FHA 10 ATHELSTAN ROAD, HEMEL HEMPSTEAD, HP3 9QE** (Pages 29 - 36)
9. **4/02013/15/MFA WEST HERTS COLLEGE, DACORUM CAMPUS, MARLOWES, HEMEL HEMPSTEAD, HP1 1HD** (Pages 37 - 72)
10. **4/01171/15/FHA 122 NEW PARK DRIVE, HEMEL HEMPSTEAD, HP2 4QW** (Pages 73 - 84)
11. **4/01158/15/FHA THE GREY HOUSE, KITSBURY ROAD, BERKHAMSTED, HP4 3EA** (Pages 85 - 96)
12. **4/00876/15/FUL 2 HAWKINS WAY, BOVINGDON, HEMEL HEMPSTEAD, HP3 0UB** (Pages 97 - 106)
13. **4/01905/15/FUL 19 CLAVERTON CLOSE, BOVINGDON, HEMEL HEMPSTEAD, HP3 0QP** (Pages 107 - 118)
14. **4/01814/15/FUL SACOMBE ROAD GRASSED AREA OUTSIDE 16/17/18 SACOMBE ROAD, HEMEL HEMPSTEAD, HP1** (Pages 119 - 126)
15. **APPEALS** (Pages 127 - 128)

INDEX TO PLANNING APPLICATIONS

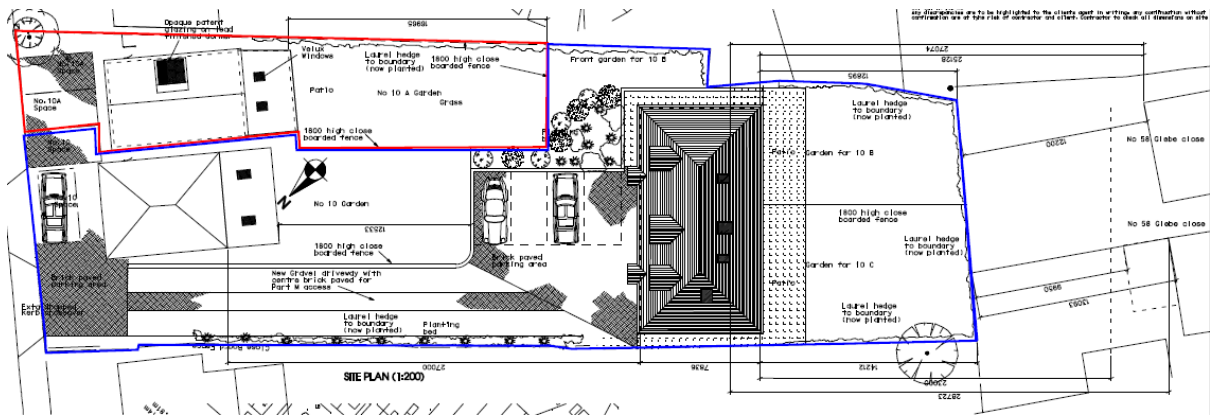
Item No	Application No.	Description and Address	Pg No.
5.01	4/00775/15/FUL	CONSTRUCTION OF A 2-BED AND 3-BED SEMI-DETACHED BUNGALOW INCLUDING ACCESS ROAD AND CAR PARKING LAND REAR OF 10 ATHELSTAN ROAD, HEMEL HEMPSTEAD, HP3 9QE	
5.02	4/01173/15/FUL	SINGLE 4 BED DETACHED DWELLING WITH ASSOCIATED PARKING AND GARDEN (AMENDED SCHEME). 10 ATHELSTAN ROAD, HEMEL HEMPSTEAD, HP3 9QE	
5.03	4/00884/15/FHA	SINGLE-STOREY REAR EXTENSION 10 ATHELSTAN ROAD, HEMEL HEMPSTEAD, HP3 9QE	
5.04	4/02013/15/MFA	CONSTRUCTION OF TWO EDUCATIONAL BUILDINGS WITH ASSOCIATED LANDSCAPING, DISABLED PARKING AND SERVICING AREA WEST HERTS COLLEGE, DACORUM CAMPUS, MARLOWES, HEMEL HEMPSTEAD, HP1 1HD	
5.05	4/01171/15/FHA	SINGLE-STOREY FRONT EXTENSION, PART SINGLE-STOREY, PART TWO-STOREY REAR EXTENSION AND ASSOCIATED ALTERATIONS 122 NEW PARK DRIVE, HEMEL HEMPSTEAD, HP2 4QW	
5.06	4/01158/15/FHA	TWO-STOREY SIDE EXTENSION THE GREY HOUSE, KITSBURY ROAD, BERKHAMSTED, HP4 3EA	
5.07	4/00876/15/FUL	ALTERATIONS TO EXISTING GARAGE BLOCK TO FORM NEW TWO BEDROOM DWELLING 2 HAWKINS WAY, BOVINGDON, HEMEL HEMPSTEAD, HP3 0UB	
5.08	4/01905/15/FUL	3-BED DETACHED DWELLING 19 CLAVERTON CLOSE, BOVINGDON, HEMEL HEMPSTEAD, HP3 0QP	
5.09	4/01814/15/FUL	TO INSTALL 6 PARKING BAYS ON GRASS AREA OUTSIDE 16/17/18 SACOMBE ROAD GRASSED AREA OUTSIDE 16/17/18 SACOMBE ROAD, HEMEL HEMPSTEAD, HP1	

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ITEM 5.01

4/00775/15/FUL - CONSTRUCTION OF A 2-BED AND 3-BED SEMI-DETACHED BUNGALOW INCLUDING ACCESS ROAD AND CAR PARKING

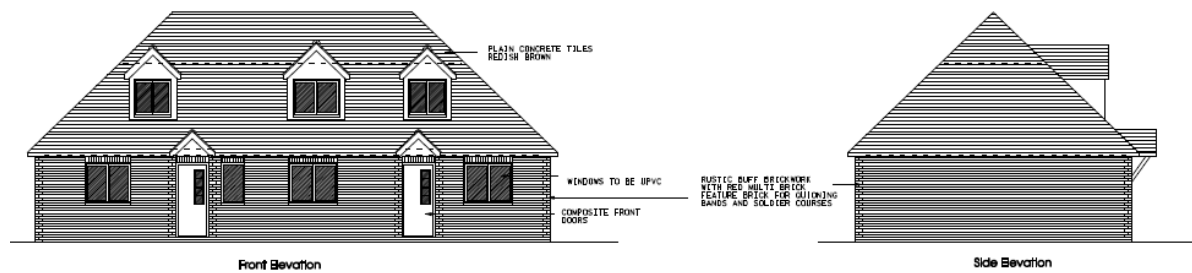
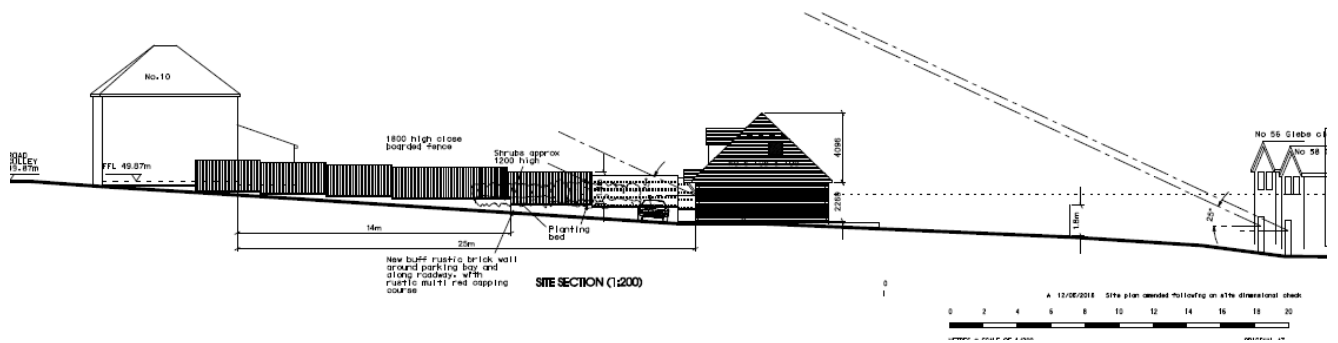
LAND REAR OF 10 ATHELSTAN ROAD, HEMEL HEMPSTEAD, HP3 9QE



ITEM 5.01

4/00775/15/FUL - CONSTRUCTION OF A 2-BED AND 3-BED SEMI-DETACHED BUNGALOW INCLUDING ACCESS ROAD AND CAR PARKING

LAND REAR OF 10 ATHELSTAN ROAD, HEMEL HEMPSTEAD, HP3 9QE



**4/00775/15/FUL - CONSTRUCTION OF A 2-BED AND 3-BED SEMI-DETACHED BUNGALOW INCLUDING ACCESS ROAD AND CAR PARKING.
LAND REAR OF 10 ATHELSTAN ROAD, HEMEL HEMPSTEAD, HP3 9QE.
APPLICANT: Benley developments Ltd - Mr Crawley.**

[Case Officer - Joan Reid]

Summary

The application is recommended for approval. The application site is located within the residential area of Hemel Hempstead wherein the principle of developing new dwellings is acceptable in accordance with policy CS4 of the Core Strategy. There would be no adverse effects on the appearance of the street scene, despite the backland development. The amenity of adjoining neighbours would not be adversely affected in terms of loss of sunlight, daylight or privacy. Car parking locally to serve the site is adequate. Highway Safety is not prejudiced by the development. The details of this scheme accord with the development principles for this area and planning guidelines. The proposal therefore accords with policies CS1, CS11, CS12 and CS29 of the Core Strategy and the NPPF.

Site Description

The application site is located to the south west of Athelstan Road within the residential area of Hemel Hempstead. The site is located within the rear garden of 10 Athelstan Road. The topography slopes significantly from North east to South West. Athelstan Road itself is characterised by mildly varying styles of residential development mostly typical suburban styles associated with the 1930s and 1960s new town development. There is mixture of detached, semi-detached and terraced dwellings in the vicinity.

Proposal

The application seeks retrospective planning permission for a pair of semi-detached dwellings comprising one 2 bedroom dwelling and one 3/4 bedroom dwelling. The dwellings take the form of chalet bungalows with the first floor accommodation provided within the roof slope aided by three dormer windows to the front roof slope and velux windows to the side and rear roof slopes. The dwellings have a ridge height of 4.9m and an eaves height of 2.27m taken from the highest ground level. Access to the dwellings is via a new driveway leading from Athelstan Road, running alongside number 10. Rear gardens are provided for each dwelling measuring a minimum depth of 12.8m and 4 car parking spaces are provided to serve the development.

The dwellings were granted planning permission on 13/11/2014 (4/02553/14/FUL) however they were not built in accordance with the approved plans; sited closer to the rear boundary and addition of velux window to the side roof slope. The buildings that are currently being considered have been constructed.

Amended plans have been received including a section showing the development which have been measured on site. A further section was requested from the agent however this was not forthcoming.

Referral to Committee

The application is referred to the Development Control Committee as it has been called

in by Cllr Mahmood.

Planning History

Application Site

4/02553/14/FU CONSTRUCTION OF A 2-BED AND 4-BED SEMI-DETACHED
L BUNGALOW INCLUDING ACCESS ROAD AND CAR PARKING
Granted
13/11/2014

4/01227/14/FU DETACHED FOUR-BED BUNGALOW WITH ASSOCIATED
L PRIVATE DRIVE AND PARKING (AMENDED SCHEME)
Granted
29/07/2014

4/00239/14/FU SINGLE 4 BED DETACHED DWELLING WITH ASSOCIATED
L PARKING AND GARDEN.
Granted
14/07/2014

Within the curtilage of 10 Athelstan Road

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
CS5 - The Green Belt
CS8 - Sustainable Transport
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS17 - New Housing
CS29 - Sustainable Design and Construction
CS35 - Infrastructure and Developer Contributions

Saved Policies of the Dacorum Borough Local Plan

Policies
Appendices 3, 5 and 7

Supplementary Planning Guidance / Documents

Area Based Policies (May 2004) - Residential Character Area (HCA; 18 Belswains)

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:

- 1) Pedestrian visibility splays of 2m x 2m shall be provided and thereafter maintained on both sides of the new vehicle crossover to the site, within which there shall be no obstruction to visibility between 0.6m and 2m above the carriageway. Reason: In the interest of highway safety.
- 2) The proposed car parking spaces shall have measurements of 2.4m x 4.8m respectively. Such spaces shall be maintained as a permanent ancillary to the development shall be paved and shall be used for no other purpose. Reason: The above condition is required to ensure the adequate provision of off-street parking at all times in order to minimise the impact on the safe and efficient operation of the adjoining Highway.
- 3) All areas for storage and delivery of materials associated with the construction of this development shall be provided within the site on land, which is not public highway, and the use of such areas must not interfere with the use of the public highway. Reason: In the interest of highway safety and free and safe flow of traffic
- 4) Best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not emit dust or deposit mud, slurry or other debris on the highway. Reason: To minimise the impact of construction vehicles whilst the development takes place.

The Highway Authority would ask that the following note to the applicant be appended to any consent issued by the local planning authority:-

HIGHWAY INFORMATIVE: The highway authority require the construction of the vehicle cross-over to be undertaken by approved contractors so that the works are carried out to their specification and by a contractor who is authorised to work in the public highway. The applicant will need to contact www.hertsdirect.org or telephone 0300 1234 047 for further instruction on how to proceed. This may mean that the developer will have to enter into a legal Section 278 agreement

Highway Comment

The above amended application is seeking approval for the construction of 1 x 2 bedroom and 1 x 3 bedroom semidetached dwellings.

Athelstan Road is classed an unclassified road. The details recorded in Hertfordshire County Council's Highway Gazetteer. 2U470, single two way carriageway with a 30 mph speed limit. There are no recorded injury accidents close to the proposed access in the last 5 years but the junction off Belmont Road and Athelstan (crossroads) has recorded injury accidents showing against it.

Trip generation

The intensification of use at the peak am and pm peaks that this proposed scheme will generate is not deemed to be at a level that would cause undue danger or inconvenience to other users of the adjacent public highway.

Parking

As stated on the application form there will be off street parking spaces. As the local planning authority is the parking authority, they will ultimately determine the appropriate level of off street parking for this development if granted planning

permission. This process will include looking at the sites close relationship with the town centre , access to public transport and the overall sustainability of the development with a view to discourage the use of the private motor car

Conclusion

The highway authority has no objection to the construction of this new dwelling with a VXO. The VXO shall be constructed to the highway authority's standards, hence the informative above. On balance, this proposal is unlikely to have a significant impact on the safety and operation of the adjacent highway, consequently the Highway Authority does not consider it could substantiate a highway objection to this proposal. The Highway Authority has no objection subject to the above conditions to the grant of permission.

Contaminated Land Officer

I refer to the above planning application received on 5 March 2015.

Whilst no documentation relating to contamination was submitted with this application, the Environmental Health Division received the following document via email on 15 July 2014 for informal review in respect of condition 10 of planning permission 4/01224/14/FUL:

- Site Investigation Report; Report Ref: 9507/TJ; Soil Consultants Ltd; 13 February 2014

The report provides a detailed preliminary risk assessment of the site. The Phase 1 Contamination Assessment has indicated that the site history and that of the immediate vicinity indicate a low risk of potential contaminative sources which could affect the site. The site was developed during the 1930's with one detached house on the north east of the plot. Prior to its development, historical map extracts depict the site within an area of agricultural fields. Records do not indicate any significant industrial activities in close proximity to the site. The intrusive investigation undertaken (4 soil samples analysed) did not indicate any exceedances of the adopted human health generic assessment criteria for a residential end use. It must be noted that whilst the Lead concentration in WS2 at 0.3mg/kg does not exceed the SGV (now withdrawn), the newly published Category 4 Screening Level for Lead is much more conservative, thus the Lead concentration at this location may require further assessment/remediation. In respect of this application, the location of WS2 falls outside of the application boundary, so this statement is for information only.

Based on the informal review of this report, I am satisfied that the contamination risk at the site has been adequately assessed, and should this application be granted planning permission, no contamination condition will be required. In terms of a watching brief during ground works, I am in agreement with the developer's proposals as follows:

'If contamination is encountered or suspected, works shall cease and / or the suspected contaminated soils shall be separated and placed under protective cover. Relevant professional advice shall be sought to determine the nature and extent of such contamination and establish an appropriate remedial strategy which, shall be agreed with the LA before proceeding. Validation testing shall then be undertaken if necessary to ensure contaminated soil has been removed.'

Thames Water

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

Water Comments

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

Fire Safety Inspector

We have examined the drawings online and note that the access for fire appliances and provision of water supplies appears to be adequate

Response to Neighbour Notification

56 Glebe Close - Objection

- All applications together for land at 10 Athelstan Road should be taken in to account together; taken together they amount to gross overdevelopment of a settled suburban environment;
- Current Conservative/Lib Dem Government guidelines on garden grabbing should have been taken into account at original application stage;
- Application should be a full planning application as opposed to a householder application;
- Concern that due process has not been followed and application should be heard at Development Control Committee;
- Development has been built wider, higher and closer to Glebe Close than approved scheme under 4/02553/14/FUL;
- Difference of height in levels between rear of 10 Athelstan Road and Glebe Close;
- Houses have been built so high that developer has put in raised patios to give the occupiers access to their rear gardens;
- Occupiers have clear views to windows of Glebe Close;
- Development results in overshadowing and loss of light to number 56 Glebe Close due to the excessive height and proximity of the dwellings.
- Development results in overlooking to Glebe Close properties (rear bedrooms of 56 Glebe Close are overlooked 24 hours a day by 17 windows which face directly into 56 Glebe Close) The velux windows overlook because they are set so low down which enables people at standing level to look out.
- Loss of quiet and peaceful enjoyment of garden
- The 4 black vent pipes are an eyesore
- Value of 56 Glebe Close has been reduced;
- Cost involved in raising height of boundary fence to help with privacy;
- Loss of greenery on the site
- request to lower height of the dwelling and require planting of tall shrubs and trees along the boundary.

58 Glebe Close

Email received dated 16/07/2015

I also won't be available to attend the committee meeting on the 30th.

I would like to reiterate a point I made earlier that the earlier planning permissions were granted with explicit conditions which withdraw permitted development for extensions and patios, and that was based on an assessed garden length of greater than 16m and some sort of cut & fill was expected to reduce the floor level.

This condition has been ignored and a raised patio built, and this is where the actual garden length is 14m. It is fairly obvious to me that if the plans had been submitted then as they have been now based on the actual building then there would have been a very good chance of them being rejected, otherwise, why would the original planning officer explicitly add the condition withdrawing the permitted development rights? I will produce a full detailed list of objections prior to the committee meeting in order for Cllr Mahmood to represent the interests of myself and other residents with objections.

Summary of points raised in email dated 25th March 2015

Anomoly over the length of garden considered by officer for previous application;
Reduced distance of garden for dwellings now built which are inadequate (garden 14m and distance from new dwellings to 58 Glebe Close 24m) due to difference in levels between the properties;

Original resubmission plans incorrect

Objection to garden grabbing;

Developer has ignored the original permission;

Bungalows have not been set into the slope of the land

Additional windows have been added

Inaccurate measurement given for garden of 58 Glebe Close

Notes additional side window overlooking Belmont Road.

Email received 17th June 2015

There are still concerns I have with the new plans and the seeming maladministration of the previous plans (4/02553/14/FUL) I have attached an image showing how your predecessor assessed the earlier plans, the outline in the image is taken from the new plan, the solid black rectangle is how the footprint would appear based on the distances to the boundaries and surrounding properties mentioned in the officers report. Of course this issue is with the local government ombudsman so I do not expect you to respond upon it. The new plans do not show the god-awful chimney/flue things which are absolutely awful in appearance, should they be mentioned anywhere?

The new plans also do not seem to show the FFL of the properties in Glebe Close, I'm guessing because they've never had any interest in how much they overlook us they've never measured, or asked us to measure, or in fact paid any attention to our existence at all. How will this be assessed with regard to Appendix 3 and the improvement of the 23m minimum back to back/front distance when taking into account level differences?

Whilst I have been looking over the officers report I noticed that Permitted development rights Classes A, B, C, E & F were removed, would this mean that the fallback position of the developers would be a property without the raised patio? and the window on the side?

Also I am curious as to the actual measurements and provision of car parking, having dropped the kerb along the entire front of the property has obviously significantly

reduced the on street parking which was available to visitors and other residents, the expansion of 10, 10a, 10b & 10c will also increase the required parking whilst reducing the size of the spaces, do those spaces as planned/built actually meet the required minimum size for parking spaces?

Is there provision for cycles as there would appear to be a requirement for one based on council policy?

There only appears to be 1 parking space for number 10 whilst the recommended minimum is 3, is this simply because number 10 "exists" and no adjustment is needed? (despite the expansion and removal of on street parking and the fact that this is all one development not three individual ones).

Is the semi-detached "bungalow" being considered as it previously was as a 4 and 2 bedroom semi, or is it considered as being 3 and 2 bedrooms despite the suitability of the rooms for use as bedrooms?

Does the proximity of the new bungalow affect the permitted development rights of myself and my neighbours? If were to take advantage of those rights we would obviously be well short of the required 23m minimum back to back distance with the new properties.

21 Athelstan Road - Objection

Letter dated 20/04/2015

- Extra Dormer window to side elevation will be totally out of character within the neighbourhood and an eyesore from public highway;
- The dormer window will overlook bedroom windows to number 12 Athelstan Road.

Letter dated 26/03/2015

- Originally opposed granted application 4/02553/14/FUL
- Previous application was not for a bungalow
- Previous application was far more imposing than original plans suggested
- Noted a velux window to side elevation (not previously on approved plans)
- Question the gap between number 8 and application properties is 2m (looks less)
- Insufficient parking provision for development on Athelstan Road which struggles with parking already
- Notes that the application form states that no existing walls/roof etc however development has been constructed
- A rear extension has been constructed to number 10 without permission
- during course of construction, numerous deliveries have been made which resulted in the highway being blocked (one vehicle was damaged by truck)
- Road was covered in mud, sand and building debris and no attempt was made to clear it
- Disregard to Health and safety on site and bonfires were causing smoke and air pollution
- If development is allowed, it contravenes the normal safeguards of planning law and allows Carte Blanche construction of any structures.

12 Athelstan Road - Objection

- Backland Tandem development would harm the amenity and character of the locality;

- As constructed the large semi-detached properties built in the back garden of 10 Athelstan Road are higher than shown on the plans, are not in the correct location and dominate the surrounding area to an unacceptable level.
- Dwellings are obtrusive, overbearing and incongruous, and in direct contravention of the Council's guidelines on such developments.
- Lack of landscaping scheme prior to commencement of development shows a complete disregard to comply with planning conditions.
- Application gives no details of methods of noise abatement for the development and surrounding properties - the car-park directly abuts the two adjoining rear gardens with no screening or landscaping, thereby creating substantial noise and pollution issues and totally dominating the open and undeveloped character of the surrounding areas to an unacceptable level. It also includes a gravel driveway. The number of vehicle movements will create unacceptable noise levels.
- Security has been compromised to an unacceptable level. There is no practicable natural surveillance of the area and the access road and public car park in the rear garden of number 10 Athelstan Road compromises the integrity of the area and significantly increases the risk of crime.
- The application makes no reference to the installation of external lighting and any such lighting will threaten the open and undeveloped character of the surrounding area and compromise the privacy of the surrounding properties.

23 Athelstan Road - Objection

Note that the dwellings are now occupied

23 are able to see a large part of the dwellings

Concern that bungalows have been built too close to the fence of number 8

Mud was not cleaned from the road and lorries have damaged the pavement as well as front walls and parked cars;

Paint from number 10 drifted across to parking cars and windows;

Previous objections to all the previous applications remain

32 Hobbs Hill Road - Support

Author's mother is hoping to purchase one of the properties as she wishes to move back to Hemel Hempstead following death of her husband. Bungalow is suitable for her mother due to proximity to family, size and design.

Design of dwellings are good quality and high standard.

10 Mount Pleasant - Support

Author wishes to purchase one of the dwellings and wishes to lend support to the scheme. Author wishes to move back to the area close to family.

71 Hobbs Hill Road - Support

- Development has improved security to 71 Hobbs Hill Road
- Improvement to visual impact of surrounding area
- Full support

3 Longfield, Leverstock Green - Support

Bungalows have been built to a high standard
Large amounts of earth have been removed from the site to lower the profile of the bungalows to reduce the impact on neighbours;
Author's mother is interested in buying 2 bedroom bungalow - few bungalows in area and her mother is familiar with the area;
Disappointed if planning issues prevented her mothers own property to be sold to a disabled lady;
The fence separating the bungalows prevents overlooking to Glebe Close;
Occupiers of Glebe Close can see more of the bungalows than the occupiers of the bungalows can see of Glebe Close;
Occupier due to her height would not be able to see out of the velux windows and developers have applied a privacy screening film to velux windows.

33 Newell Road

Intends to buy one of the bungalows;
Few bungalows available in the area and a flat would not be suitable;
size of garden is manageable;
Agreed sale of own house to a disabled lady.

Considerations

Planning permission has been granted by the LPA for two dwellings within the site, however, the developer has not constructed these in accordance with the approved plans. As such the committee are required to place considerable weight to the approved scheme and consider whether the changes from the approved plans adhere to planning policy.

Policy and Principle

The application site is located within the residential area of Hemel Hempstead wherein Core Strategy policy CS4 encourages appropriate residential development in Towns and Large Villages. The principle of providing new dwellings in this location is acceptable and should be considered primarily against Core Strategy policies CS11: Quality of Neighbourhood Design, CS12: Quality of Site Design, saved DBLP appendix 3 - Design & Layout of Residential Areas.

Although garden land is not included in the National Planning Policy Framework's definition of previously developed land, the redevelopment of such land for housing development is not precluded provided the requirements of other policies are met including policy CS12 of the Council's Core Strategy which requires that new development should be sympathetic to the general character of its setting. Therefore, it is considered that the NPPF and Core Strategy do not preclude backland development and the main considerations are whether the development is sympathetic within it's setting.

Policy CS12 of the adopted Core Strategy requires development a) provide a safe and satisfactory means of access for all users; b) provide sufficient parking and sufficient space for servicing; c) avoid visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to the surrounding properties; d) retain important trees or replace them with suitable species if their loss is justified; e) plant trees and shrubs to help assimilate development and softly screen settlement edges; f) integrate with the

streetscape character; and g) respect adjoining properties in terms of: i. layout; ii. security; iii. site coverage; iv. scale; v. height; vi. bulk; vii. materials; and viii. landscaping and amenity space. These points will be considered within the body of the report.

The Area Based Policies SPG (Character Area 18) generally discourages back land development. In particular, HCA18 guidance sets out not special requirements for design of new dwellings, should not normally exceed two storeys in height, should be medium sized, should normally front onto the road and follow established formal building lines. Spacing should be in the medium range (2m to 5m). Finally, in terms of density, development should be in the medium range of 30 to 35 dwellings/ha).

Impact to Character of the Area

The development comprises Tandem development (positioning of one or more new dwellings behind an existing dwelling sharing access arrangements) which is often considered to be a poor form of development. Within the immediate vicinity whereby the majority of dwellings front onto the road, it is considered that this development is not ideal and introduces an unconforming form of development. However, it is required to consider how the two dwellings integrate within the wider context of the site and whether they result in ad hoc and problematic form of development. From Athelstan Road, due to the topography of the site and the height of the dwellings, there are only limited views to the development from the access road. Generally they are well hidden from longer views and do not appear as prominent additions with the wider streetscene. Similarly, from Belmont Road and Glebe Close, the two dwellings would not be overall prominent from any public aspects (views and impact to the dwellings from neighbouring properties will be considered under paragraph below). The dwellings adhere to the character area appraisal guidance insofar that they do not exceed two storeys in height, retain spacing of 2m to the site boundary and comprise a medium range density. On balance, the siting of the dwellings in the backland position is not considered ideal however having regard to the specifications set out in the character area appraisal which the development adheres to, together with the lack of prominent views to the site and the fall-back position (granted planning permission for similar development on the site) and as such it is considered that the scheme should be supported.

Impact on Neighbours

The scheme has introduced a development within the rear garden of number 10 which has close relationship to neighbouring properties both on Athelstan Road and Glebe Close, which are located to the south of the application site. A number of letters and emails have been received from the neighbouring properties which are discussed in greater depth within this paragraph.

As well as the consideration of policy CS12 of the Core Strategy which requires development to avoid visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to the surrounding properties, particular regard should also be given to appendix 3 of the local plan. Appendix 3 sets out guidance for the layout of residential areas and requires the following:

i) Privacy - residential development should be designed and laid out so that the privacy of existing and new residents is achieved. Buildings should at least maintain a distance

of 23m between the rear wall of a dwelling and the main wall (front or rear) to achieve adequate privacy. Appendix 3 goes on to say that this distance may be increased depending on character, level and other factors.

ii) Sunlight and Daylight - Residential development should be designed and positioned in such a way that a satisfactory level of sunlight and daylight is maintained for existing and proposed dwellings.

Privacy - the introduction of two new dwellings within the rear garden of number 10 Athelstan inevitably results in a significant change of perspective to the residents surrounding, considering the previously wooded/tree based garden before. Particular concern has been raised in relation to how the new dwellings reduce privacy and overlook into the neighbours properties at Glebe Close (56 and 58). Certainly, from viewing the new dwellings from the windows at houses on Glebe Close, you can see directly into the windows of the new dwellings including through the velux windows (at the time of visiting, privacy screening was not inserted). However, due to the levels, I also noted that when standing at the new dwellings, the direct overlooking was lessened. The existing fencing reduced direct overlooking to the ground floor windows and whilst, there was opportunity to see up to the first floor windows which was not unusual or dissimilar to what one normally expects within a residential area. Appendix 3 seeks a minimum distance of 23m behind the rear elevation of new dwellings to the rear elevation of existing dwelling but does on to say that this length may be extended having regard to other factors.

Although the properties were constructed a further 2m closer to the neighbours at Glebe Close from the original permission, having measured both the gardens of Glebe Close and the development, a distance in excess of 23m remains including taking account of the extant permission for a two storey extension at number 58. It is noted that the neighbours are concerned that this distance should be increased due to the level differences and it is noted that the level of the application site is below their properties. As such, the opportunity to overlook from the new properties to Glebe Close is actually less than a situation whereby two properties are level (at which 23m standard would apply).

As the properties have been constructed, it is now possible to specifically have regard for what is possible to see from the new dwellings and from my site visit, the opportunity to directly overlook is not significant. Furthermore, the velux windows to the rear, whilst they are set low on the roof slope due the height of the eaves, the developer is prepared to cover this in a privacy screen/obscure glazing to avoid overlooking from first floor level. It is noted that the residents of Glebe Close could clearly see builders within the dwellings through the velux windows however this was before the obscure glazing was inserted. Also, two of the velux windows serve bathrooms and one serves a landing so it is within the interests of future occupiers that the bathroom windows are protected to avoid overlooking to them also. Due to the difference of levels from the application site to Glebe Close, which is higher than the application site, it is appreciated that the occupiers feel overlooked as they are higher and can directly look down to the new dwellings however, from the application site, it is difficult to get a direct view to the windows or gardens of Glebe Close from the ground floor windows which are clear.

In terms of loss of privacy through the insertion of a velux window to the side roof slope (which was not included on the approved plans previously) this is too intended to be

obscure glazed and can be required to be fixed shut to avoid the opportunity of individuals opening this and looking out. This window serves as a secondly source of light to the bedroom. As such, due to the fixed and obscure glazing requirement, it is considered that this side window should not offer any further opportunity to overlook the garden of 8 Athelstan Road.

Loss of Daylight and Sunlight - Policy CS12 and appendix 3 requires development to avoid a significant loss of light to neighbouring properties. In terms of dwellings along Glebe Close, the dwellings would not significantly reduce daylight and accords with the BRE Sunlight and Daylight Assessments (would not breach a line drawn at 25 degrees upwards from 2m up from ground floor windows). Similarly, the new dwellings are located to the north east of Glebe Close and due to the orientation, sunlight would not be significantly impacted. In terms of properties along, Athelstan Road, the new dwelling would be located to the south east of number 8, which would reduce some sunlight early in the day, however this is not considered to be significant due to the low ridge height and distance from the rear garden of number 8. Similarly, in terms of number 12, the dwellings are located to the south west and some evening light could be affected however again, the proposal would accord with BRE standards and no objection is raised.

Visual Intrusion - A key consideration is whether the development results in significant visual intrusion to the neighbours to warrant a refusal. Whilst, the introduction of these dwellings appear radically different to the neighbours from the previous situation of a leafy site, it is not considered that they appear so visually intrusive that the amenity of the neighbours is significantly impacted. The dwellings are located in excess of 23m from the rear elevation of both 58 and 56 Glebe Close and whilst, it is felt by neighbours that the dwellings are bulky and large, they comprise a low eaves level and ridge height compared to a two storey dwelling that might be found acceptable elsewhere once it was in excess of 23m. Although the floor level of the dwellings are higher than those at Glebe Close, (approximately 3.5m), it is still considered that the dwellings are acceptable from a visual impact perspective. Overall, it is noted that the new dwellings appear out of context and dramatically different to the residents, however, in their own right, it is not considered that they significantly harm the amenities of the neighbours in terms of visual intrusion.

In terms of number 8 and 12 Athelstan Road, the new dwellings are set lower than these properties and are not considered to appear significantly overbearing.

Other

Loss of value of residents properties would not be a planning consideration to warrant a reason for refusal.

Concern has been raised that the removal of permitted development rights from the properties from the previous permission has been ignored. The conditions removing permitted development rights requires planning permission to be submitted to assess the impact of development (including the raised patios and extensions). These now form part of this application and the impact should be considered by members before making a decision. The proximity of the dwellings would not affect the permitted development rights of any other property which are separate planning units.

A number of residents have stated that the vents/flue pipes are an eyesore, and as

such, it is considered reasonable that a condition be imposed to require an alternative, more subtle solution to this which requires details and once agreed, the vents/flues to be altered.

Removal of permitted development rights of Class A, B, C and E shall be imposed to prevent development without consent. Any further development on the site would therefore require an application to assess the impact and acceptability of the development.

Impact on Trees and Landscaping

Prior to the development, it is noted that the owner cleared a substantial amount of trees and shrub from the site which is evident of aerial photographs however none of these were subject of a TPO and indeed were likely to be self-seeded. As such, no objection was raised in respect of the loss of trees within the site.

In order to help assimilate and mitigate the impact of the development, further planting of trees and hedging will be required by condition. A landscape plan shall be sought and once agreed; the development will be requested to plant trees in accordance with the plan within the next planting season (generally over winter months).

Impact on Highway Safety

Hertfordshire Highways have raised no objection to the scheme with a vehicle crossover subject to this being constructed to the highway authority's standards. Hertfordshire Highways consider on balance, this proposal is unlikely to have a significant impact on the safety and operation of the adjacent highway, consequently the Highway Authority does not consider it could substantiate a highway objection to this proposal.

In terms of parking provision, two spaces are provided per dwelling which are of sufficient size. Appendix 5 of the local plan sets out a maximum requirement of 1.5 spaces for a two bedroom dwelling and 2.25 spaces for a three bedroom dwelling (3 spaces for a four bedroom dwelling). The provision of two spaces per dwelling accords with this maximum standard and is considered to be sufficient private car parking provision for each dwelling, in accordance with the common allowance of two spaces found within the immediate area.

Concern has been raised that there is insufficient spacing for the parent property, 10 Athelstan Road. One park is available for number 10 which is below the maximum standard however, as the site of the new dwellings does not displace any original parking provision, it is considered that the LPA could not refuse the application on this basis.

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. This application is CIL Liable.

The Charging Schedule clarifies that the site is in Zone 1 within which a charge of £100 per square metre is applicable to this development. The CIL is calculated on the basis of the net increase in internal floor area. CIL relief is available for affordable housing, charities and Self Builders and may be claimed using the appropriate forms.

Conclusions

The application before the Committee is in effect a variation to an existing planning permission wherein the principle of backland development in this location has been established. The development has already been constructed, but not in accordance with the approved plans. Whereas the construction of new development without the correct planning permission is not in any way supported, in line with Government policy in the NPPF and the Council's own Local Enforcement Plan, an application to regularise the permission is usually sought. This has been done and the merits of the scheme, in comparison to that already permitted, have been assessed in this report. The LPA is now required to consider how the changes in this application impacts residents, character of the area and other material considerations. The changes to the scheme from that previously approved are considered acceptable in planning terms, and as such it is recommended that the application be granted.

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

- 1 Within two months following the grant of planning permission, full details of soft landscape works shall have been submitted to and approved in writing by the local planning authority. These details shall include:**

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

The approved landscape works shall be carried out within the first planting season thereafter.

Reason: To ensure a satisfactory appearance to the development and to help mitigate the impact of the development on neighbouring properties along Glebe Close in accordance with policy CS12 of the adopted Core Strategy.

- 2 Pedestrian visibility splays of 2m x 2m shall be provided and thereafter maintained on both sides of the new vehicle crossover to the site, within which there shall be no obstruction to visibility between 0.6m and 2m above the carriageway.**

Reason: In the interest of highway safety in accordance with policy CS8 of the adopted Core Strategy.

- 3 The car parking spaces shall have measurements of 2.4m x 4.8m**

respectively. Such spaces shall be maintained as a permanent ancillary to the development shall be paved and shall be used for no other purpose.

Reason: The above condition is required to ensure the adequate provision of off-street parking at all times in order to minimise the impact on the safe and efficient operation of the adjoining Highway in accordance with policy CS8 of the adopted Core Strategy and appendix 5 of the local plan.

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending or re-enacting that Order with or without modification) no development falling within the following classes of the Order shall be carried out without the prior written approval of the local planning authority:**

Schedule 2 Part 1 Classes A, B, C, E.

Reason: To enable the local planning authority to retain control over the development in the interests of safeguarding the residential and visual amenity of the locality in accordance with policy CS12 of the adopted Core Strategy and appendix 3 of the local plan.

- 5 All the velux windows at first floor level in the rear and side elevation of the dwellings hereby permitted shall be permanently fitted with obscured glass and shall be fixed shut unless otherwise agreed in writing by the local planning authority.**

Reason: In the interests of the residential amenities of the occupants of the adjacent dwellings in accordance with policy CS12 of the adopted Core Strategy.

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

**PL/001 Rev A
PL/002 Rev A
PL/004
PL/003**

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

Informatives

HIGHWAY INFORMATIVE: The highway authority require the construction of the vehicle cross-over to be undertaken by approved contractors so that the works are carried out to their specification and by a contractor who is authorised to work in the public highway. The applicant will need to contact www.hertsdirect.org or telephone 0300 1234 047 for further instruction on how to proceed. This may mean that the developer will have to enter into a legal Section 278 agreement

Waste Comments

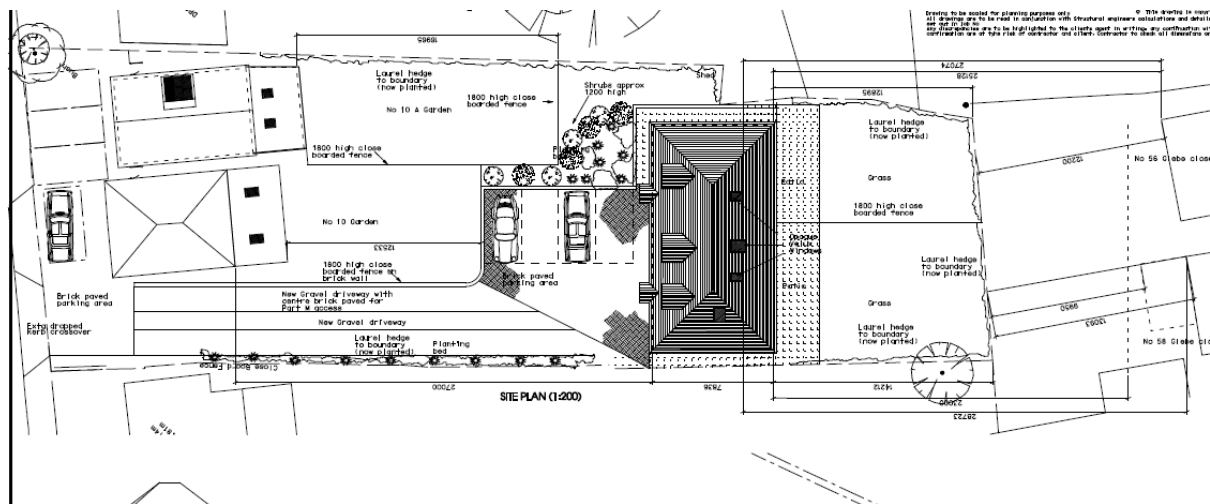
Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0800 009 3921 or for more information please visit our website at www.thameswater.co.uk

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system

ITEM 5.02

4/01173/15/FUL - SINGLE 4 BED DETACHED DWELLING WITH ASSOCIATED PARKING AND GARDEN (AMENDED SCHEME).

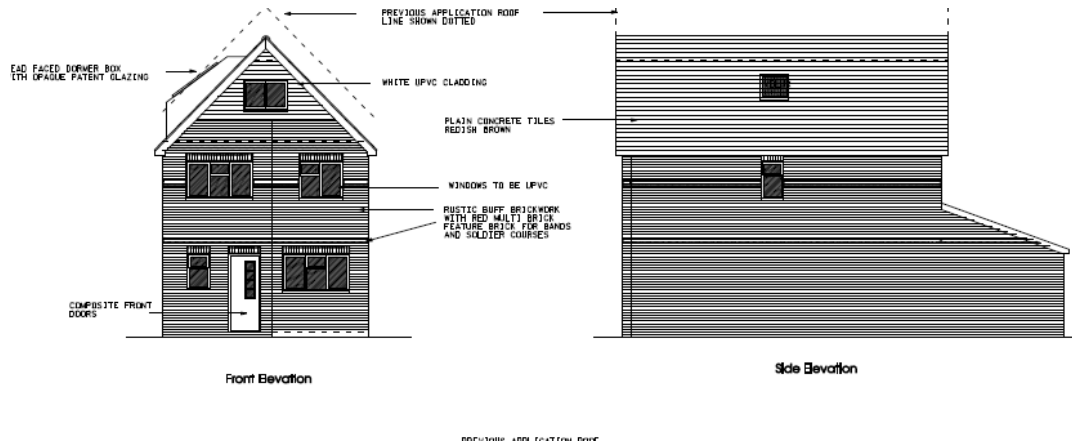
10 ATHELSTAN ROAD, HEMEL HEMPSTEAD, HP3 9QE



ITEM 5.02

4/01173/15/FUL- SINGLE 4 BED DETACHED DWELLING WITH ASSOCIATED PARKING AND GARDEN (AMENDED SCHEME).

10 ATHELSTAN ROAD, HEMEL HEMPSTEAD, HP3 9QE



**4/01173/15/FUL - SINGLE 4 BED DETACHED DWELLING WITH ASSOCIATED PARKING AND GARDEN (AMENDED SCHEME)..
10 ATHELSTAN ROAD, HEMEL HEMPSTEAD, HP3 9QE.
APPLICANT: Benley developments Ltd.**

[Case Officer - Joan Reid]

Summary

The application is recommended for approval. The application site is located within the residential area of Hemel Hempstead wherein the principle of developing new dwellings is acceptable in accordance with policy CS4 of the Core Strategy. There would be no adverse effects on the appearance of the street scene. The amenity of adjoining neighbours would not be adversely affected in terms of loss of sunlight, daylight or privacy. Car parking locally to serve the site is adequate. Highway Safety is not prejudiced by the development. The details of this scheme accord with the development principles for this area and planning guidelines. The proposal therefore accords with policies CS1, CS11, CS12 and CS29 of the Core Strategy and the NPPF.

Site Description

The application site is located to the south west of Athelstan Road within the residential area of Hemel Hempstead. The site is located within the side garden of 10 Athelstan Road. Athelstan Road itself is characterised by mildly varying styles of residential development mostly typical suburban styles associated with the 1930s and 1960s new town development. There is mixture of detached, semi-detached and terraced dwellings in the vicinity.

Proposal

The application seeks retrospective planning permission for a detached two storey dwelling fronting onto Athelstan Road. Planning permission was granted in July 2014 for a similar dwelling however what has been constructed has now been altered to include:

- Alterations to front elevation;
- Changes to windows;
- additional rear single storey projection;
- Addition of dormer window to side roof slope with obscure glazing.

Referral to Committee

The application is referred to the Development Control Committee as it has been called in by Cllr Mahmood.

Planning History

4/00239/14/FUL SINGLE 4 BED DETACHED DWELLING WITH ASSOCIATED PARKING AND GARDEN.
Granted
14/07/2014

Other surrounding History

4/02553/14/FUL CONSTRUCTION OF A 2-BED AND 4-BED SEMI-DETACHED BUNGALOW INCLUDING ACCESS ROAD AND CAR PARKING
Granted
13/11/2014

4/00270/14/FUL CONSTRUCTION OF THREE 3-BED DWELLINGS INCLUDING ACCESS ROAD AND CAR PARKING
Withdrawn
07/04/2014

4/01227/14/FUL DETACHED FOUR-BED BUNGALOW WITH ASSOCIATED PRIVATE DRIVE AND PARKING (AMENDED SCHEME)
Granted
29/07/2014

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
CS5 - The Green Belt
CS8 - Sustainable Transport
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS17 - New Housing
CS29 - Sustainable Design and Construction
CS35 - Infrastructure and Developer Contributions

Saved Policies of the Dacorum Borough Local Plan

Policies
Appendices 3, 5 and 7

Supplementary Planning Guidance / Documents

Area Based Policies (May 2004) - Residential Character Area (HCA; 18 Belswains)

Summary of Representations

Response to Neighbour Notification / Site Notice / Newspaper Advertisement

21 Athelstan Road

We originally opposed the development as per comments submitted to Patrick Doyle lodged against planning application: **4/02553/14/FUL**

We then opposed the retrospective planning permission request: **4/00775/15/FUL** sent to and received by you on Thursday March 26

Had the dwelling at No 10A been built to plan there would now be no need to apply for retrospective planning permission for an extra Dormer box window to be built into the side roof elevation. This will be totally out of character within the neighbourhood, will be a complete eyesore from the public highway and most importantly overlook bedroom windows to the adjacent property (No 12 Athelstan Road). It is without doubt another example of the developers doing what they please and should be halted.

Considerations

Policy and Principle

The application site is located within the residential area of Hemel Hempstead wherein Core Strategy policy CS4 encourages appropriate residential development in Towns and Large Villages. The principle of providing new dwellings in this location is acceptable and should be considered primarily against Core Strategy policies CS11: Quality of Neighbourhood Design, CS12: Quality of Site Design, saved DBLP appendix 3 - Design & Layout of Residential Areas.

Although garden land is not included in the National Planning Policy Framework's definition of previously developed land, the redevelopment of such land for housing development is not precluded provided the requirements of other policies are met including policy CS12 of the Council's Core Strategy which requires that new development should be sympathetic to the general character of its setting. Therefore, it is considered that the NPPF and Core Strategy do not preclude backland development and the main considerations are whether the development is sympathetic within its setting.

Policy CS12 of the adopted Core Strategy requires development a) provide a safe and satisfactory means of access for all users; b) provide sufficient parking and sufficient space for servicing; c) avoid visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to the surrounding properties; d) retain important trees or replace them with suitable species if their loss is justified; e) plant trees and shrubs to help assimilate development and softly screen settlement edges; f) integrate with the streetscape character; and g) respect adjoining properties in terms of: i. layout; ii. security; iii. site coverage; iv. scale; v. height; vi. bulk; vii. materials; and viii. landscaping and amenity space. These points will be considered within the body of the report.

The Area Based Policies SPG (Character Area 18) generally discourages back land development. In particular, HCA18 guidance sets out not special requirements for design of new dwellings, should not normally exceed two storeys in height, should be medium sized, should normally front onto the road and follow established formal building lines. Spacing should be in the medium range (2m to 5m). Finally, in terms of density, development should be in the medium range of 30 to 35 dwellings/ha).

Impact on Street Scene

It is considered that the changes to the permitted scheme which includes a gable fronted dwelling would not detract in its own right from the character of the streetscene. The changes to the fenestration and gable details are not significantly different from that already consented and as such no objection is raised.

The single storey rear extension would not be visible from the wider streetscene and would not detract in its own right. The proposed plans show a side dormer, however, it is noted that at the time of writing the report it is not constructed on site. The side dormer would further exaggerate the prominence of the dwelling within the streetscene and appear incongruous due to its design and form, for these reasons this element of the scheme is not supported. A condition will be imposed on the permission clarifying that the dormer window be omitted from the approved scheme.

The removal of all the landscaping from the frontage is not ideal, however, the case officer when dealing with the original scheme took the view that this was acceptable and gave weight to what could be done under permitted development rights. As such, significant weight must be given to what has already been contended and the car parking arrangement to the frontage does not depart from what has already been considered acceptable by the LPA.

Impact on Neighbours

Concern has been raised that the dormer window would result in overlooking. Due to the impact on the streetscene over and above the consented scheme, it is considered that this dormer window would be omitted from any approval given. It is noted that the dormer window has not been constructed to date. From the consented scheme, the changes that have been made including the rear extension would not result in significant harm to the amenities of the neighbours in terms of loss of privacy, light or visual intrusion.

Other Material Planning Considerations

Parking - Provision has been made for three spaces to the frontage with accords with the maximum standard set out in appendix 3 of the adopted local plan. No objection has been raised by Hertfordshire Highways on highway safety.

There has been discussion regarding the changes to the scheme together with the changes to the scheme to the rear for two dwellings and how this all sits together. The two dwellings to the rear have been moved closer to the boundary with Glebe Close and this application is to be determined separately, however it is considered that even with the additional extension, sufficient amenity space for 10a remains in excess of the minimum requirement of 11.5m. Due to the levels across the site, it is noted that no details have been given to the height of the raised platform. As such details will be requested by condition for clarity, however it is considered that provision of the raised platform to enable access from the garden to the dwelling would not result in harm to the neighbours or affect materially the recommendation for approval of this scheme.

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. This application is CIL Liable.

The Charging Schedule clarifies that the site is in Zone 1 within which a charge of £100

per square metre is applicable to this development. The CIL is calculated on the basis of the net increase in internal floor area. CIL relief is available for affordable housing, charities and Self Builders and may be claimed using the appropriate forms.

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

- 1 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending or re-enacting that Order with or without modification) no development falling within the following classes of the Order shall be carried out without the prior written approval of the local planning authority:**

Schedule 2 Part 1 Classes A, B, C, E

Reason: To enable the local planning authority to retain control over the development in the interests of safeguarding the residential and visual amenity of the locality in accordance with policy CS12 of the adopted Core Strategy.

- 2 Notwithstanding the details on the approved plans, no dormer windows shall be erected to the side roof slopes. Any dormer windows erected shall be removed and the roof slope made good.**

Reason: To enable the local planning authority to retain control over the development in the interests of safeguarding the residential and visual amenity of the locality in accordance with policy CS12 of the adopted Core Strategy.

- 3 Within two months from the date of this decision, details of the raised patio and any steps shall be submitted to and approved in writing by the local planning authority. These details shall include:**

- hard surfacing materials;
- proposed finished levels or contours;t.

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

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with policy CS12 of the adopted Core Strategy.

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

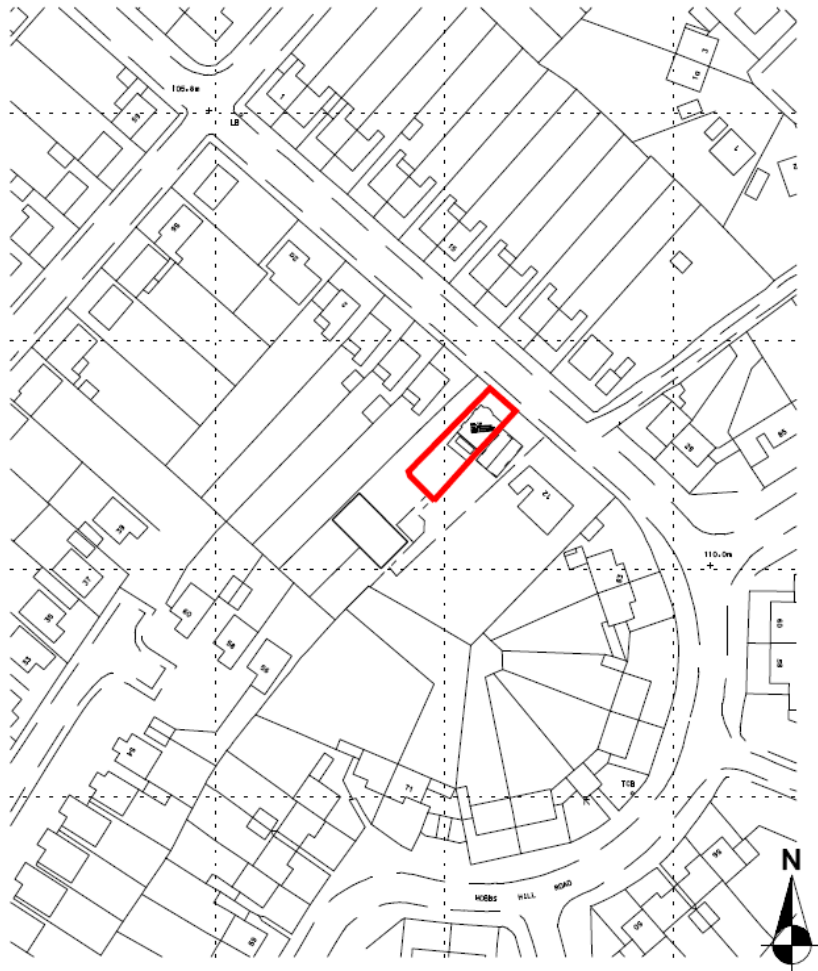
PL001/A
PL002
PL003

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

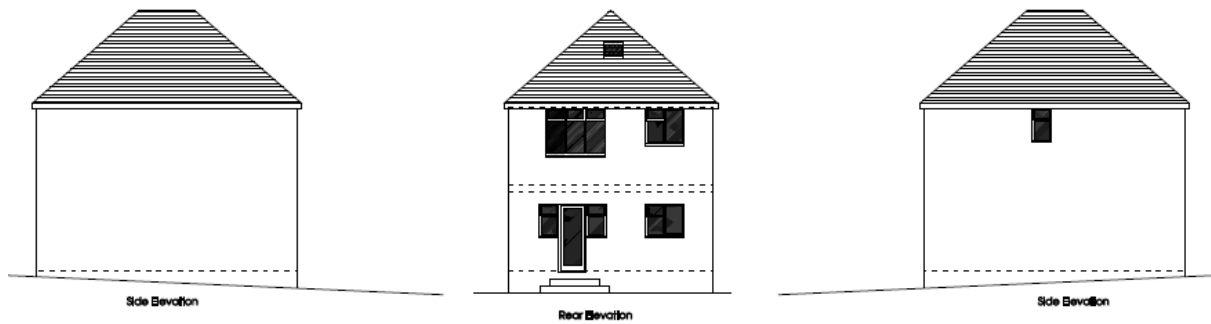
ITEM 5.03

4/00884/15/FHA- SINGLE-STOREY REAR EXTENSION

10 ATHELSTAN ROAD, HEMEL HEMPSTEAD, HP3 9QE



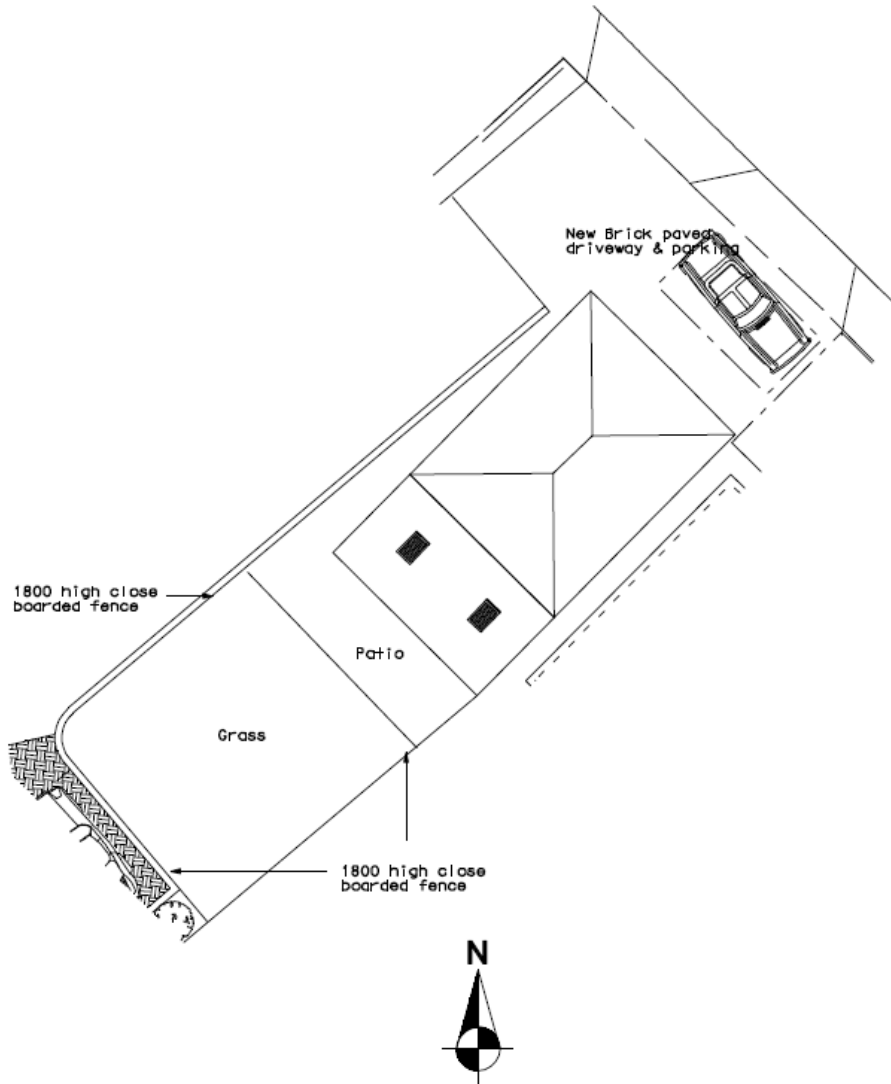
LOCATION PLAN (1:1250)



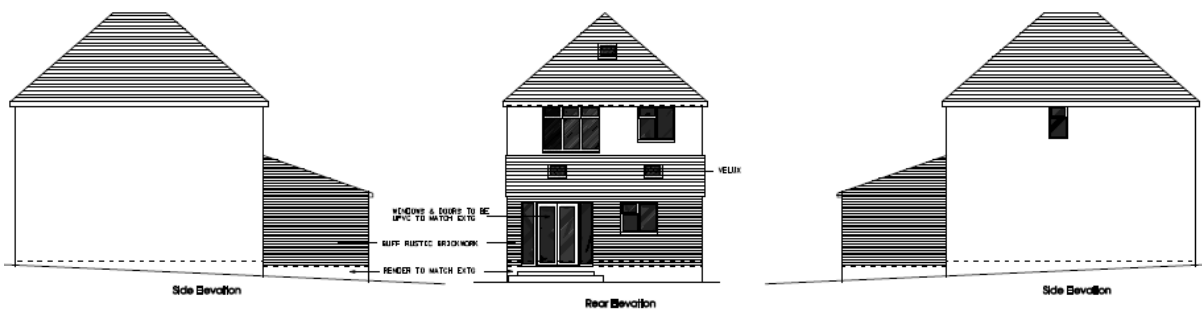
ITEM 5.03

4/00884/15/FHA- SINGLE-STOREY REAR EXTENSION

10 ATHELSTAN ROAD, HEMEL HEMPSTEAD, HP3 9QE



SITE PLAN (1:200)



Summary

The application is recommended for approval.

The principle of residential development is considered acceptable in the sites location within a residential area. Certain permitted development rights (Schedule 2, Part 1, Classes A, B and E), including extensions, were removed (see 4/00239/14/FUL), following an approval for an application for two semi-detached dwellings in the rear garden. These permitted development rights were removed to safeguard the residential and visual amenity of the locality. However, the proposed single-storey rear extension has been kept limited in scale and is not considered to significantly impact the amenities of the neighbours when compared to the existing urban layout.

The proposed works would not have any adverse impact on the appearance of the dwelling and would not significantly detract from the street scene. The access and car parking is deemed satisfactory. Therefore, the proposal is acceptable in accordance with the aims of the National Planning Policy Framework; Policies CS4, CS11 and CS12 of the Core Strategy and saved Policy 58, and saved Appendices 5 and 7 of the Dacorum Borough Local Plan (DBLP).

Site and Surroundings

The application site is located on the southern side of Athelstan Road, within the Hemel Hempstead Character Area of Belswains (HCA18). The plot comprises a 1930s detached three bedroom dwelling characterised by a hipped roof, white render and white uPVC. The plot size has recently been reduced to allow for three new dwellings, one adjacent and two in the rear garden. The street is characterised by mildly varying styles of residential development, mostly typical suburban styles associated with the 1930s. There is mixture of detached, semi-detached and terraced dwellings in the vicinity.

Proposal

The application seeks retrospective planning permission for a single-storey rear extension, projecting 3.4m from the rear wall and stretching the full width of the property (6.25m). The proposed extension has a lean-to roof, with a maximum height of 3.6m and a maximum eaves height of 2.45m. The proposal incorporates two small roof lights.

Referral to Committee

The application is referred to the Development Control Committee at the request of Councillor Suqlain Mahmood.

Planning History

4/01173/15/FUL SINGLE 4 BED DETACHED DWELLING WITH ASSOCIATED PARKING AND

	GARDEN (AMENDED SCHEME). Awaiting decision
4/00775/15/FUL	CONSTRUCTION OF A 2-BED AND 3-BED SEMI-DETACHED BUNGALOW INCLUDING ACCESS ROAD AND CAR PARKING Awaiting decision
4/02553/14/FUL	CONSTRUCTION OF A 2-BED AND 4-BED SEMI-DETACHED BUNGALOW INCLUDING ACCESS ROAD AND CAR PARKING Granted 13/11/2014
4/01227/14/FUL	DETACHED FOUR-BED BUNGALOW WITH ASSOCIATED PRIVATE DRIVE AND PARKING (AMENDED SCHEME) Granted 29/07/2014
4/00239/14/FUL	SINGLE 4 BED DETACHED DWELLING WITH ASSOCIATED PARKING AND GARDEN. Granted 14/07/2014

Relevant Policy

National Planning Policy Guidance

National Planning Policy Framework (NPPF)

Dacorum Core Strategy 2006-2031

NP1 - Supporting Development
 CS4 - The Towns and Large Villages
 CS10 - Quality of Settlement Design
 CS11 - Quality of Neighbourhood Design
 CS12 - Quality of Site Design
 CS29 - Sustainable Design and Construction
 CS31 - Water Management
 CS32 - Air, Water and Soil Quality

Dacorum Borough Local Plan 1991-2011

Policy 58 - Private Parking Provision
 Appendix 5 - Parking Provision
 Appendix 7 - Small-scale House Extensions

Summary of Representations

Local Residents

58 Glebe Close, Hemel Hempstead, HP3 9PA

The plans don't appear to show the surrounding properties, or very much at all to give any indication of distances or relationships with the wider street scene, this does not appear to be an adequate application to be considered.

Considerations

The main issue of relevance to the consideration of this application relate to the impact of the works upon the amenities of the neighbouring properties in accordance with Policy CS12 and saved Appendices 3 and 7 of the DBLP. Other issues of relevance relate to the impact of the proposal on the character and appearance of the dwelling and the street scene (HCA18, Policies CS11 and CS12), and the impact on car parking (saved Policy 58 and saved Appendix 5 of the DBLP).

Effect on Appearance of Building and Street Scene

An assessment of the impact of the proposed works has considered the impact on the appearance of the building and street scene. The proposal would not have an adverse impact on the visual amenity of the property or the wider street scene. The works are situated to the rear of the property and views from the public realm are generally obscured. The proposal would therefore not appear incongruous to the existing dwelling or street scene in accordance with Policy CS12.

The proposed extension is considered satisfactory in terms of its design, bulk and scale. It is subordinate in terms of scale and height to the parent building as required by the Hemel Hempstead Character Appraisal (HCA18 - Belswains) and saved Appendix 7 of the DBLP.

The existing building is covered in white render and the walls of the proposal are constructed with buff rustic brick work without render. Although this does not match the parent building, it does match the neighbouring property. The roof tiles (profiled concrete tiles) also differ from the existing building (plain concrete tiles). The proposed materials, although conflicting with the existing dwelling, would not cause significant harm to the appearance of the property in accordance with Policy CS12.

In conclusion, it is not considered that the proposed works would significantly detract from the character of the street scene or the appearance of the dwelling in accordance with Policies CS11 and CS12 of the Core Strategy, saved Appendix 7 of the DBLP and HCA18.

Effect on Amenity of Neighbours

Consideration has been given to the impact that the proposed extension would have on the adjoining neighbours. Policy CS12 states that regarding the effect on the amenity of neighbours, development should avoid visual intrusion, loss of light and loss of privacy. It is anticipated that the proposal would not reduce the light to the ground floor windows of the neighbours, as the proposed extension would not interfere with the 45 degree guidelines set out by saved Appendix 7 of the DBLP.

As mentioned previously, certain permitted development rights were removed following an approval for two semi-detached dwellings in the rear garden. The reason for this was to avoid a cramped appearance on the plot, maintain a suitable garden size commensurate with the character of the area, preserve adequate amenity provision for a family home and uphold adequate distances between the rear of No.10 and adjacent properties.

Saved Appendix 3 of the DBLP states that development should retain sufficient

spacing around residential buildings to avoid loss of privacy. Saved Appendix 3 of the DBLP also states that spacing between dwellings should be provided at a distance which is consistent with the surrounding areas. The surrounding area consists of development in the medium density range.

F. From studying the site plan for the proposed dwellings to the rear of No. 10 (see PL/001A on application 4/00775/15/FUL), it appears that a distance of approximately 22m would be retained. Furthermore, the separation distance to the sides would also be considerably higher than many other developments in the surrounding area and Hemel Hempstead as a whole. It is therefore considered that sufficient spacing is maintained and therefore the impact with regards to loss of privacy would be extremely minimal. It should be noted that in most urban situations permitted development rights allow significant single storey rear extensions to properties without the requirement for planning permission, this often results in separations between dwellings being well below that currently proposed.

In conclusion, although the proposed extension would reduce the spacing between properties, it is felt that the issues would not be significantly worsened by this small single-storey rear extension but are resultant of the surrounding urban development. Therefore, the application would not warrant a refusal in this respect. Therefore, there would be no significant harm to the residential amenities of the neighbouring properties as a result of this proposal. The proposed extension would not impact the immediate neighbouring properties in terms of visual intrusion, loss of light and loss of privacy in accordance with Policy CS12 of the Core Strategy and saved Appendix 7 of the DBLP.

Access and Car Parking

The proposal would not create any additional bedrooms or affect the existing car parking layout. It follows that the parking arrangements are acceptable in accordance with Policy CS12 of the Core Strategy and saved Policy 58 of the Local Plan.

RECOMMENDATION - That planning permission be **GRANTED** subject to the following conditions:-

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

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

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

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

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

PL/001

PL/003

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

Article 31 Statement

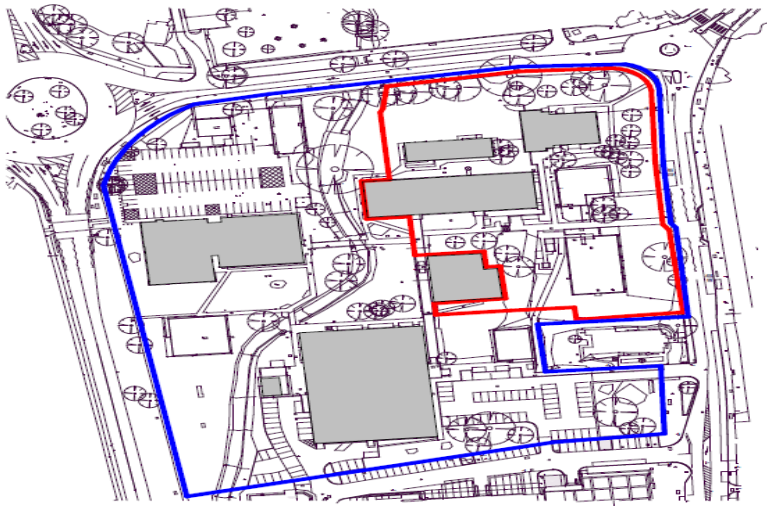
Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

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ITEM 5.04

4/02013/15/MFA- CONSTRUCTION OF TWO EDUCATIONAL BUILDINGS WITH ASSOCIATED LANDSCAPING, DISABLED PARKING AND SERVICING AREA

WEST HERTS COLLEGE, DACORUM CAMPUS, MARLOWES, HEMEL HEMPSTEAD, HP1 1HD



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4/02013/15/MFA - CONSTRUCTION OF TWO EDUCATIONAL BUILDINGS WITH ASSOCIATED LANDSCAPING, DISABLED PARKING AND SERVICING AREA. WEST HERTS COLLEGE, DACORUM CAMPUS, MARLOWES, HEMEL HEMPSTEAD, HP1 1HD.

APPLICANT: West Herts College.

[Case Officer - Myles Joyce]

Summary

The application is recommended for approval.

The site is in a prominent location by the River Gade adjacent to Leighton Buzzard Road, Queensway, and Marlowes. The site has been developed in a campus form, for West Herts College (WHC) set in a mature, landscaped setting which includes the River Gade, a chalk stream. This application, following the demolition of Block K and L, proposes to erect a new 4,200 sqm educational building, with associated landscaping, disabled parking and servicing area. It is proposed to retain the existing C block until the new building is constructed and occupied. A temporary access from Marlowes to the site immediately south of the plant rooms will provide access during the construction phase and give permanent access to 4 disabled parking spaces and refuse storage.

The principle of redeveloping the existing college campus is acceptable in policy terms through the adoption of the Core Strategy (2013), the Hemel Hempstead Town Centre Master Plan and is also included within the Pre-submission Site Allocations DPD. The Hemel Hempstead Place Strategy, as set out within the Core Strategy, identifies local objectives for the town centre including the delivery of a new college (paragraph 20.6), which is subsequently reflected in Core Strategy Policy CS33.

The scheme addresses the need to be sympathetic to the existing surrounding buildings and conservation area and appropriate to its internal functions as well as responding directly to the aspirations of the local development plan. It is proposed to retain 34, about two thirds of the existing trees, and provide new tree planting to mitigate for tree loss. Hertfordshire Highways have no objections subject to conditions which are being imposed regarding visibility and submission of a road safety audit. No additional car parking spaces are proposed but the site is highly accessible and the scheme provides 38 spaces with further space earmarked to be provided if the demand exists and monitored through a Travel Plan. An additional access from Marlowes initially for the construction phase would also serve the proposed 4 disabled parking spaces and servicing associated with the Phase 1 development.

A condition requiring a full construction Management Plan is to be imposed to mitigate any potential problems during the construction phase. In terms of energy efficiency and solar gain the proposed materials of brick, glass and render all are durable and weather well and the 21.1% CO2 improvement over Building Regulations Minimum (Part L) is considered acceptable. Glazing and orientation is set to maximise solar gains and set back from the river avoids overshadowing with glazing maximised along the south, east and west elevations rather than the shaded north-facing elevation.

No flooding has occurred in recent years on site or further downstream and the Flood Risk Assessment concludes that there is no risk from flooding. The Environment

Agency in its consultation response is satisfied that, inter alia, the flood risk can be contained and managed through the impositions of planning conditions. There is negligible potential for bat roosting on site but provision of bat boxes in conjunction with the lighting scheme will be required by condition. Archaeological potential has been assessed and found to be limited and not requiring further works. Noise generation and vibration from plant etc. is likely to will be well within acceptable noise levels at all times but will nonetheless be suitably conditioned. In terms of site security and safer places the Crime Prevention officer considered the proposal acceptable.

The proposal is therefore considered acceptable in the context of the Core Strategy and other Policies.

Site Description

The site is in a prominent location by the River Gade adjacent to Leighton Buzzard Road, Queensway, and Marlowes. The site has been developed in a campus form, for West Herts College (WHC) set in a mature, landscaped setting which includes the River Gade, a chalk stream. The WHC buildings are of little or no architectural merit. The land within the red line has an area of 0.91 hectares and sits within the curtilage of the Dacorum Campus. It is in the full ownership of West Herts College.

The site, due to its prominent location, serves as a gateway to both the town centre and Hemel Hempstead Old Town Conservation Area and a transition point from the semi-rural Gadebridge Park/Queensway to the urban Marlowes. The site faces a row of older buildings across the Marlowes and forms an important eastern flank to the busy Leighton Buzzard Road. The southern boundary is currently used in part as a car park and in part as a small, well-treed, urban square which opens out toward the River Gade. The site affects the setting of a number of listed buildings and buildings considered of local heritage importance. In addition the northern edge of the site fronting Queensway lies within the Old Town Conservation Area. This affects the setting of the Bury, a Grade II* listed building, requiring statutory consultation with Historic England.

The site sits entirely within a ground water protection zone designated as SPZ1 (inner source protection zone). This is defined as the 50 day travel time from any point below the water table to the source. This zone has a minimum radius of 50 metres. This designation is due to the presence of boreholes immediately north of the Civic Centre and their associated pumping station. The site contains a number of high quality, mature and semi-mature trees which contribute to the environment and landscaping of the site. The site forms a significant part of the Gade Zone as identified in the Hemel Hempstead Town Centre Master Plan.

Proposal

The application proposes the erection of a new 4,200 sqm educational building, with associated landscaping, disabled parking and servicing area following the demolition of existing teaching blocks K and L. It is proposed to retain the existing C block classroom until the new building is constructed and occupied. 3,403 sqm of accommodation will be demolished (Blocks K, L and C). Some demolition work has already been undertaken in 2014. Taking into account, the very recent other demolitions, the total accommodation demolished will be 5,659 sqm. No increase in car parking provision is provided other than 4 disabled spaces and cycle spacing will increase from 4 to 42. A

temporary access from Marlowes to the site immediately south of the plant rooms will provide access during the construction phase and then become permanent and also incorporate the 4 disabled parking spaces and refuse storage.

Referral to Committee

The application is referred to the Development Control Committee as a Major Planning application which falls outside the range of proposed developments which are delegated to Council Officers for decision.

Planning History

The site was subject to a hybrid application in 2010 for, 'Demolition of existing buildings on the site to enable comprehensive redevelopment, comprising an 8,299 sqm education facility on the north east part of the site and residential development of up to 130 units including a retail unit up to 140 sqm on the remainder of the site' (4/02114/10/MFA). The application was subsequently withdrawn.

In addition, a planning application was also submitted in 2013 for the demolition of existing buildings for redevelopment of the site, including a food superstore and replacement college (4/01228/13/MFA). This application was also withdrawn following the loss of the supermarket's backing from the scheme.

Following receipt of funding from the Hertfordshire Enterprise (LEP) in the spring of 2014, the College embarked on a programme of demolition and refurbishment. Blocks E, F, G, H and M, the bungalow and Methodist Church were demolished in the summer of 2014.

The ground floor of Block A was refurbished to improve the educational experience for the students. This refurbishment is to give a maximum life of 5 years

More recently, an application to the local planning authority for a screening opinion (Ref. 4/01551/15/SCE) and an application for whether prior approval for the demolition of three existing blocks (Ref. 4/02001/15/DEM) is required were submitted. The LPA held that an EIA was not required and that prior approval for the proposed demolition works was required and granted on the basis of the information submitted in respect of the method of demolition and proposed restoration works following demolition.

Policies

National Policy Guidance

National Planning Policy Framework (NPPF)

Adopted Core Strategy

NP1 - Supporting Development
CS1 - Distribution of Development
CS2- Selection of Development Sites
CS4 - The Towns and Large Villages
CS8 - Sustainable Transport
CS12 - Quality of Site Design

CS13 - Quality of Public Realm
CS23 - Social Infrastructure
CS26 - Green Infrastructure
CS27 - Quality of the Historic Environment
CS28 - Renewable Energy
CS29 - Sustainable Design and Construction
CS30 - Sustainability Offset Fund
CS31 - Water Management
CS32 - Air, Water and Soil Quality
CS33 - Hemel Hempstead Urban Design Principles

Saved Policies of the Dacorum Borough Local Plan

Dacorum Borough Local Plan Saved Policies:

10 Optimising the Use of Urban Land
54 Highway Design
55 Traffic Management
57 Provision and Management of Parking
58 Private Car Parking Provision
61 Parking Pedestrians
62 Parking for Cyclists
63 Parking for Disabled People
99 Preservation of Trees hedgerows and Woodlands
100 Tree and Woodland Planting
113 Exterior Lighting
119 Development Affecting Listed Buildings
120 Development in Conservation Areas

Appendices:

1 Sustainability Checklist
5 Parking Provision
8 Exterior Lighting

Supplementary Planning Guidance

Environmental Guidelines

Conservation Area Character Appraisal for Hemel Hempstead Old Town

Water Conservation & Sustainable Drainage

Energy Efficiency & Conservation

Advice Note on Achieving Sustainable Development through Sustainability Statements

Accessibility Zones for the Application of Parking Standards

Summary of Representations

Strategic Planning

The principle of redeveloping the existing college campus is established in policy terms through the adoption of the Core Strategy (2013), the Hemel Hempstead Town Centre Master Plan and is also included within the Pre-submission Site Allocations DPD. The Hemel Hempstead Place Strategy, as set out within the Core Strategy, identifies local objectives for the town centre including the delivery of a new college (paragraph 20.6),

which is subsequently reflected in Core Strategy Policy CS33. Additionally, Core Strategy Policies CS1, CS2 and CS4 should also be taken into account. Therefore the provision of a replacement educational facility at this location is considered to be acceptable within this town centre location.

The site is also included within the Council's Pre-submission Site Allocation DPD as part of the larger mixed use proposal MU/1 in Hemel Hempstead which proposes to allocate a total of 6 hectares of land for redevelopment of the college site, construction of a new public sector quarter (to be referred to as 'The Forum') and construction of 500-600 homes.

Design principles are set out within section 5.2.7 of the Hemel Hempstead Town Centre Master Plan and states that development at the northern end of the Gade Zone (i.e. this application site) should respect the character, setting and built form of the Old Town. A similar approach should be taken when considering the impact of the proposal on the setting of the Grade II* listed building at the Bury, views over to the Grade I listed St Marys Church and the Old Town Conservation Area. This is reflected within Core Strategy Policy CS12, which states that development should, amongst other requirements, (g) respect adjoining properties in terms of (inter alia) scale, height and bulk; as well as Core Strategy Policy CS27 which states the integrity, setting and distinctiveness of designated (and undesignated) heritage assets will be protected, conserved and, if appropriate, enhanced. The views of Conservation and Design should be sought with regard to this. Concerns were also raised with regard to the retention of trees along Queensway boundary, not least for the screening effect.

With regard to access and car parking, the site being located within Accessibility Zone 2, a proposal at the existing college site would require 25-50% of the maximum demand-based standards of parking to be provided. However we advise that the advice of the Local Highway Authority should be sought regarding access, traffic generation and highway capacity before determination of this application.

With regard to sustainability core Strategy Policies CS28 and CS29 requires new development to seek to reduce carbon emissions and to comply with the highest standards of sustainable design and construction possible, respectively. The Sustainability Statement and Energy Statement and that the proposal results in a 12.1% pass margin over the carbon target emission rate (TER). The proposal also includes the installation of photovoltaics and air source heat pumps (ASHP) as renewable energy sources. As such, it is considered that the proposal complies with the requirements of these abovementioned policies.

Conservation and Design

The Bury a Grade II* listed building and St Mary's Church a Grade I listed building. The Bury is directly opposite this northern elevation of this proposal. The use of the site as an educational establishment is long established in policy terms and there is no objection to this use subject to a high standard of design which respects the heritage significance of the designated heritage assets.

There are some concerns regarding:

- the proposed carpark and service yard on the Marlowes frontage given its prominence

- the southern elevation presents a dead frontage
- the undercroft pedestrian entrance requires natural surveillance through the provision of glazing to the stairwell.
- the extent of the blank facade on the rendered element facing Queensway, facing The Bury (Grade II*) should be more broken up in form.

Amended Plans and additional information submitted 7th July 2015

With respect to the latest amendments made to the application by West Hertfordshire College for its campus development (application no. 4/02013/15/MFA) these are considered to have by and large addressed the concerns that Conservation and Design previously raise. Consequently Conservation and Design no longer wishes to raise any objection to the proposed scheme as now amended. The amendments in question being:

- the changes to the southern elevation walling to introduce brick relief detailing into this expanse of walling.
- changes proposed for the doors to the power plant exterior doors .
- the revision made to the configuration of the windows openings adjacent the underpass entrance.

It is suggested that appropriately worded conditions pertaining to external materials and finishes , lighting and landscaping (planting and surface treatments) should be included with a permission that may subsequently be given to ensure the scheme positively contributes to the public realm.

Environment Agency

Planning permission could be granted to the proposed development as submitted if conditions are imposed requiring the following:

- No development to take place until a site investigation scheme, based on the Report on Ground Investigation (Applied Geology Limited, Report number: AG2233-15-V83, dated May 2015), to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. The results of the site investigation and detailed risk assessment, creating an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. Followed by a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. The scheme shall be implemented as approved. This is to prevent groundwater contamination.
- No occupation shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority.
- If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected

contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

- No piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.
- No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

The reason for the above condition is to protect groundwater in line with your policies CS31 and CS32, The Thames River Basin Management Plan, Planning Practice Guidance and the National Planning Policy Framework.

HCC Environment

The FRA submitted with this application does not comply with the requirements set out in the Planning Practice Guide (as revised 6 April 2015) to the National Planning Policy Framework. The FRA also does not comply with the Herts County Council's SuDS Policies (an addendum to the Local Flood Risk Management Strategy). In order for the Lead Local Flood Authority to advise the relevant local planning authority that the site will not increase flood risk to the site and elsewhere and can provide appropriate sustainable drainage techniques, further information with regard to detailed pre and post development surface water run-off rate and volume calculations (including all permeable and impermeable areas) for all rainfall events up to and including the 1 in 100 year + climate change event, sustainable drainage system prioritising above ground methods such as ponds, swales etc. source control measures such as permeable paving, infiltration trenches to ensure surface water run-off from the proposed car parking and roads can be treated in a sustainable manner and reduce the requirement for maintenance of underground features. In addition a detailed drainage strategy including a detailed drainage plan and details of the proposed informal surface water flooding including the return rainfall event it will flood, the location it will flood and expected depths of flooding.

At the outset to ensure the proposed drainage system and SuDS features and incorporated within the layout and located appropriately in line with the SUDS hierarchy. It is not clear from the FRA if all of the site area has been included within the summary calculations provided. It mentions that only the roof areas have been included in the calculations. If this is the case revised drainage calculations included the detailed calculations required above should be provided to ensure the correct storage volume requirement and run-off rate can be provided.

If the LPA are minded to approve the application, the only condition which we would find appropriate to ensure all of our concerns are addressed would be the following:

Condition

No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the critical storm event will not exceed the run-off from the undeveloped site following the corresponding rainfall event and provide pre-development greenfield run-off rates where possible. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include:

1. Detailed pre and post development surface water run-off rate calculations for all rainfall events up to and including the 1 in 100 year + climate change event.
2. Detailed pre and post development surface water volume calculations for all rainfall events up to and including the 1 in 100 year + climate change event.
3. Surface water calculations including all impermeable and permeable areas to provide a total volume and surface water run-off rates
4. Provide betterment by achieving greenfield run-off rates
5. Provide a sustainable drainage system prioritising above ground methods such as ponds, swales etc.
6. Provide source control measures such as permeable paving, infiltration trenches to ensure surface water run-off from the proposed car parking and roads can be treated in a sustainable manner and reduce the requirement for maintenance of underground features.
7. Final detailed drainage strategy including a detailed drainage plan to support a full planning application which sets out the final development layout.
8. Details of the proposed informal surface water flooding including the return rainfall event it will flood, the location it will flood and expected depths of flooding.

Hertfordshire Highways

No objections subject to following conditions:

- Prior to the commencement of the development hereby permitted full details shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority to illustrate roads, footways, and on-site water drainage, access arrangements, parking provision and turning areas.
- Prior to the commencement of the development hereby permitted a Stage 2 Road Safety Audit for the proposed highway improvements and access junction shall be completed and submitted for approval by Hertfordshire County Council.
- Prior to commencement of the development, the applicant shall submit a Construction Management Plan to the Local Planning Authority for approval in writing including details of construction vehicle numbers, type, routing, traffic management requirements, construction and storage compounds, siting and details of wheel washing facilities, cleaning of site entrances, site tracks and the adjacent public highway, timing of construction activities to avoid school pick up/drop off times, the

management of crossings of the public highway and other public rights of way and post-construction restoration / reinstatement of the working areas and temporary access to the public highway.

- Prior to occupation provision of a visibility splays to each side of the access where it meets the highway and such splays shall thereafter be maintained at all times.

Informatives were also recommended which are set out under the relevant section of this report.

Historic England

Recommend that the application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

National Trust

No comments

HCC Fire and Rescue Service

No objections

Thames Water

With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. Recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

Request that the following 'Grampian Style' condition be applied - "Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed".

There are public sewers crossing or close to the development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer.

No impact piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water.

Expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like an informative attached to the planning permission notifying the applicant of the requirement to obtain a Groundwater Risk Management Permit from Thames Water.

Development should utilise sustainable urban drainage systems (SUDS) unless there are practical reasons for not doing so, and should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible in line with the following drainage hierarchy: 1 store rainwater for later use 2 use infiltration techniques, such as porous surfaces in non-clay areas 3 attenuate rainwater in ponds or open water features for gradual release 4 attenuate rainwater by storing in tanks or sealed water features for gradual release 5 discharge rainwater direct to a watercourse 6 discharge rainwater to a surface water sewer/drain

Ecology

This Ecosite was surveyed as part of the Hemel Urban Survey in 1992 and is described as: species-rich amenity grassland and section of the River Gade with attractive aquatic and marginal vegetation. It acts as a wildlife corridor through this part of Hemel Hempstead. Ecosites do not have any form of status of importance, but are merely sites that we have some ecological information on.

A Preliminary Bat Roost Assessment by The Ecology Consultancy was carried out on 17 April 2015 of the three buildings (Blocks C, K and L) proposed for demolition and the 17 trees proposed for removal (*N.B. the Tree report says 18*). No bats, or signs of bats, were found at the site, and the buildings and majority of trees were considered to have negligible potential to support roosting bats. One mature apple tree was assessed as having moderate potential to support roosting bats. To ensure no bats are present, an intrusive inspection of this tree by a bat ecologist, prior to its removal, is recommended. If bats are found to be roosting in the apple tree, a mitigation strategy will be needed to deal with the impact on the bats / roost. A European Protected Species (EPS) licence will also be required from Natural England to proceed lawfully.

The External Lighting proposal involves bollard and wall units that produce low levels of light and hoods sufficient not to disturb bats, but still provide a safety function. Directional hoods should be fixed in the horizontal position to minimise light spill and direct light away from boundary vegetation - to ensure dark corridors remain for use by wildlife as well as directing lighting away from potential roost / nesting sites. The proposed lighting plan and the installation of bat (and bird) boxes needs to be designed with each other in mind. An Informative should be added advising that a bat ecologist is involved with the final lighting plan to avoid potential illumination of artificial roost features, which will also be incorporated into the design.

New trees and shrubs should be predominantly native species, particularly those that bear blossom and fruit (berries) to support local wildlife. Where non-native species are used they should be beneficial to biodiversity, providing a food source or habitat for wildlife. To avoid harm to protected species it is advised to add an informative advising of Protected species.

Trees and Woodlands

No objection- Of the 52 trees on site none are of high quality but the retention of category B and C mature specimens (including Lime, Norway Maple, Plane, Beech, and Sycamore) will maintain a scale between landscaping and proposed buildings; the height of educational buildings will partially be screened in views from Queensway. The presence of mature trees would not lessen the positive aesthetic impact of the college buildings but they would soften the new vista along Queensway.

18 trees have been identified for removal, comprising Apple, Alder, Hawthorn, Birch, Cherry and Norway Maple. The three B cat trees are located along the Marlowes site frontage, directly within the footprint of proposed buildings, and so there is no scope to retain them. The most important site trees, with historic and local interest, are four Willows along the river bank, their retention is desired and protection measures paramount.

New tree planting is proposed on the site to mitigate loss to development. However, no detail of species, planting specification or maintenance has yet been submitted. Species selection should be carefully considered as the site will be well used by pedestrians; trees should not present foreseeable hazards to site users. The particular trees proposed should also be able to withstand low maintenance and reflected heat (off nearby buildings and hard surfaces). It is of utmost importance to install protection measures prior to any site clearance works to minimise potential damage to retained trees.

Contaminated Land Officer

Should the applicant find any contamination during development, they should stop works and notify Environmental Health in order that we can offer appropriate advice.

Crime Prevention

No objections on the basis of information available on the application proposed

Response to Neighbour Notification / Site Notice / Newspaper Advertisement

No responses received.

Building Control

No objections

Considerations

Preliminary Matters

A pre-application enquiry for a proposed new college replacing that at West Herts College was submitted under DBC Ref 4/01395/15/PRE. The LPA response dated 1st May 2015 stated that a high quality scheme for this important site that will assist in the planned regeneration of the area whilst also providing the college with an attractive new building was welcomed by the LPA. Two meetings were held with DBC Planning Officers.

It was noted that the site has been the subject of redevelopment proposals for a number of years, with applications in 2010 and 2013 involving a new college, the latest being a joint proposal with Morrisons for a college and supermarket. Both applications were subsequently withdrawn. The college has since been exploring options for redeveloping their part of the site and are now in a position to bring forward Phase I of a three phased scheme. A number of buildings have been demolished and further demolition of buildings will be included within a planning submission for redevelopment.

In summary it was noted that:

- The River Gade is a chalk stream, currently occupying a channel which was originally created in connection with a mill located in the area adjacent to the Bury. Parts of the channel are considered to be of good chalk stream status by the Environment Agency. Other parts of the river, both upstream and downstream of the site, are of much poorer status.
- Parts of the site are in flood zones 3a and 3b (although not this development site). The site is largely protected from flooding by the culvert which currently takes most of the flow underground north-south through the site. This belongs to Thames Water and its presence is a severe constraint on development.
- Major structures such as roads crossing the culvert will require specific design requirements to avoid compromising the integrity of the culvert.
- A Flood Risk Assessment will be required. With regard to Public Sewers crossing or close to the site and, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer.
- There are a number of fine trees within the site and the retention of the sylvan environment along Queensway is welcomed.
- The setting of listed buildings facing the site along with the character and appearance of this part of the Conservation Area is considered to require sensitive design. The Bury is a Grade II* Listed Building and will require careful consideration in order that the proposal enhances its setting, early consultation with English Heritage as statutory advisor is advised.

In considering a planning application, regard to the vision for the town centre as presented in the Hemel Evolution project brochure which summarises the masterplan proposals, states that by 2031 this will be: “an appealing, attractive and sustainable destination with a thriving economic centre and a high quality environment”. Regeneration will emphasise: “the natural and cultural assets of the town and celebrate its New Town history and rich heritage”. Regeneration of the Gade Zone “will make a significant contribution towards the achievement of this vision”. In addition the former Civic Zone SPD identified the need for the Gade Zone element of the town centre to be planned and developed as part of a comprehensive scheme, contribute to the overall achievement of the town centre’s regeneration and enhancement and be developed to its optimum potential.

With the college alone pursuing this scheme (Morrisons having pulled out) the first criteria above is not strictly met but the development of a new college building on existing college land would not prejudice any future redevelopment proposals of the adjoining land and the overall aims for the town centre's regeneration and

enhancement would not be affected by this stand alone proposal by the College. In principle therefore the proposals are supported however elements of the design need further consideration notably:

- treatment of main entrance to provide focal point to building
- treatment of plant room facade to Marlowes and access way to courtyard
- treatment of rear elevation to courtyard

Positive feedback has been provided by the highway authority and is generally supportive subject to the submission of a Transport Statement. It is proposed to provide a dedicated and segregated site compound to the south of the proposed Phase 1 building, with a new temporary access provided off Marlowes. This approach has been accepted by the highway authority notwithstanding Conservation and Design officer concerns. In terms of Sustainability it has been agreed and accepted that through the use of higher efficiency VRF heat pumps a 12% saving over Building Regs Part L 2013 (21% over Part L 2010) can be achieved along with BREEAM level Very Good.

Likely conditions to be imposed would be:

- Submission for approval of a Transport statement
- Construction management plan
- Survey to identify the presence of any asbestos on the site, and if found bonded should be dismantled carefully, using water to dampen down, and removed from site. If unbonded asbestos is found the Health and Safety Executive at Woodlands, Manton Lane, Manton Lane Industrial Estate, Bedford, MK41 7LW should be contacted and the asbestos shall be removed by a licensed contractor.
- Submission for approval of a scheme providing for the insulation of the building against the transmission of noise and vibration from the building prior to development taking place.
- A noise assessment should be carried out in accordance with BS4142 to establish whether the (plant/machinery/activity) that are to be installed or operated in connection with this permission are likely to give rise to complaints at any adjoining or nearby noise sensitive premises
- Details of external lighting should be submitted prior to the commencement of development,
- Another pre-commencement condition regarding details /scheme of ventilation including extraction and filtration of cooking fumes to be submitted for approval is also required
- Demonstration of sustainable urban drainage systems (SUDS) should be submitted or practical reasons for not doing so, and should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible

In pre-application discussions in April 2015 the Local Planning Authority supported the overall design and the use of brick as the primary elevational material to the Marlowes Block with render to the 16-18 Block facing Queensway The LPA asked for the elevational treatment of the plant room to be reconsidered. A blank facade was not welcomed. Further to these comments the design was developed to incorporate relief brickwork to give a 'panelled' effect. An open 'walk-through' from Marlowes to the courtyard and river is a key part of the design. It was suggested by the LPA that the design of the undercroft should be developed further to encourage and welcome the local community to enter and take advantage of refectory facilities. A suggestion that

the walkway was gated in the evening was also taken up. The LPA stated that achieving better east west links was to be encouraged.

The LPA raised the potential for the refectory to be relocated to the front elevation facing Marlowes with the plant areas to the rear. However this was considered undesirable because the plant space includes a substation which requires 24hr access and therefore is best placed adjacent to the highway and at ground level and is of a size to accommodate future provision of Phase 2 which will be located adjoining the plant room. The proposed location of the refectory seeks to make the most of the views across to the river and will provide opportunities to break out into the courtyard. The College's vision for the frontage is transparency on learning and educational opportunities on offer. It was felt that a refectory in this location would not convey the correct message. The prominence of the entrance was discussed. It was agreed that its prominence could be reinforced with materials, paving, colour choices and signage. Materials were discussed. The primary focus for the LPA was to achieve clean lines. Brick was proposed by the design team. It was agreed that there was an opportunity to treat the two elements of the scheme with different materials

Policy and Principle

The site has been subject to a considerable amount of pre-application consideration in terms of redeveloping the existing college campus. As noted above, the principle has been established in policy terms through the adoption of the Core Strategy (2013), the Hemel Hempstead Town Centre Master Plan and is also included within the Pre-submission Site Allocations DPD. The Hemel Hempstead Place Strategy, as set out within the Core Strategy, identifies local objectives for the town centre including the delivery of a new college (paragraph 20.6), which is subsequently reflected in Core Strategy Policy CS33. Additionally, Core Strategy Policies CS1, CS2 and CS4 should also be taken into account. Therefore the provision of a replacement educational facility at this location is considered to be acceptable within this town centre location. The site is also included within the Council's Pre-submission Site Allocation DPD as part of the larger mixed use proposal MU/1 in Hemel Hempstead which proposes to allocate a total of 6 hectares of land for redevelopment of the college site, construction of a new public sector quarter (to be referred to as 'The Forum') and construction of 500-600 homes.

With regard to access and car parking, the site being located within Accessibility Zone 2, a proposal at the existing college site would require 25-50% of the maximum demand-based standards of parking to be provided.

With regard to sustainability core Strategy Policies CS28 and CS29 requires new development to seek to reduce carbon emissions and to comply with the highest standards of sustainable design and construction possible, respectively. The Sustainability Statement and Energy Statement and that the proposal results in a 12.1% pass margin over the carbon target emission rate (TER). The proposal also includes the installation of photovoltaics and air source heat pumps (ASHP) as renewable energy sources. As such, it is considered that the proposal complies with the requirements of these above mentioned policies.

Design and Site Layout

The physical massing of the college building has been carefully considered. The

design addresses the need to be sympathetic to the existing surrounding buildings and conservation area and appropriate to its internal functions as well as responding directly to the aspirations of the local development plan. The college building comprises of three storeys, ground, first and second. The building is split into two distinct blocks, each with their own individual character, Block 16-18 is a three storey building with floor to floor levels of 3825mm. The ground floor level of this block is 2150mm lower than the Marlowes Block. The Marlowes Block is a two storey building. Ground floor to first floor is 5500mm. The first floor in Marlowes Block and the second floor in 16-18 Block work as a single floor on the same level. The Marlowes Block provides level access from Marlowes whilst the 16-18 Block provides level access from the car park for staff and disabled students. The college parapet is a uniform level for both blocks, sitting 9900mm above ground floor of Marlowes Block and 12050mm above ground floor level of 16-18 Block. The 16-18 Block has a rooflight above the atrium, sitting at 13500mm above ground floor level.

Following feedback from Conservation and Design further details were submitted with regard to the following:

- The south and east elevation around the plant room
- The walk through area from Marlowes to the Courtyard
- The north elevation of the 16-18 Building opposite the Bury and comparison of floor levels and details with the west and south elevations of this block

The amended plans show detailing on the hitherto blank southern elevation facing the car park and additional glazing with regard to the undercroft or walk through area from Marlowes to the Courtyard. In addition the north elevation of 16-18 was provided in greater detail including relative levels. The Conservation Officer is satisfied that concerns had been taken into account and subject to conditions pertaining to external materials and finishes, lighting and landscaping (planting and surface treatments) should be imposed as part of any permission to ensure that the scheme positively contributes to the public realm. This is considered proportionate and reasonable and in accordance with Policies CS12, CS13 and CS27 of the Core Strategy and Saved Policy 10 of the Dacorum Local Plan.

Impact on Character and Appearance of Conservation Area and Setting of Listed Building(s)

The proposed development will be located outside of the Hemel Old Town Conservation Area although part of the site lies within the said Conservation area it is outside of the development footprint. This conservation area was designated in 1968. The Conservation Area is compact and contains a mix of 18th and 19th century 2-3 storey development centred on High Street with the junction at Queensway forming an important southern gateway. There is little modern development within the Conservation Area. The subject site is close to a number of important buildings including the Grade II* Listed Building The Bury with views across to St. Mary's Church a Grade I Listed Building. The Bury sits within a landscape setting with the existing trees along Queensway screening views. The site is over 200m from St Mary's Church with only limited views due to the built form and trees. At present the existing site contains buildings of little or no architectural merit. The proposed site layout being set back from the River Gade and retaining the trees in the Conservation Area seek to limit

impact and retain the views of the Bury. The mass of the proposed building, whilst greater than that of the existing will be reduced through breaking changes in materials and the extensive use of glazing reflecting the dark brick along Marlowes with the paler render of the Bury. The views of the spire of St Mary's are not considered to be affected adversely by the proposal.

The amendments and additional details sought by Conservation and Design have satisfied the LPA that the proposed development will not adversely impact on either the setting of the Listed Buildings; The Bury and St Mary's Church nor adversely impact the character and setting of the Conservation Area and indeed are considered to significantly improve the design, appearance and layout of the subject site. Accordingly, the proposal is considered to accord with Policy CS27 of the Core Strategy and Saved Local Plan Policies 119 and 120..

Impact on Trees and Landscaping

According to the applicants a site assessment in March 2015 discovered that the site contains 52 trees. Only 19 of these are of moderate quality and the rest of low quality including 8 category U trees that 'cannot be realistically retained'. It is proposed to retain 34 or almost two thirds of the existing trees, with new tree planting to mitigate for tree loss. There are no TPOs in force on site although the northern fringe of the site falls within the Old Hemel Conservation Area which contains 14 trees. It is not proposed to fell any of the trees that fall within the Conservation Area under 'area 2'. Policy CS26 (Green Infrastructure) seeks to conserve habitats and strengthen biodiversity corridors and create better links to green spaces. Whilst the site is private, the scheme maintains pedestrian access through to the River Gade, as many trees have been retained minimising impact on habitats. New trees are also proposed. The scheme has also purposefully kept back from the River Gade to ensure no detrimental impact.

Trees and Woodlands have no objections to the proposal but have asked for further details of tree replacement and for tree protection measures during construction to be imposed as a planning condition both of which are considered reasonable and necessary to accord with Saved Policies 99 and 100 of the Dacorum Borough Local Plan.

Impact on Highway Safety

Hertfordshire Highways has no objections subject to conditions being imposed prior to occupation of two visibility splays each side of the access where it meets the highways for reasons of highway safety. In addition, a condition has been asked to be imposed with regard to submission for approval of a Stage 2 Road safety audit prior to development. Both conditions are considered reasonable and in accordance with Policy CS8 of the Core Strategy and Saved Policies 54 and 55 of the Dacorum Borough Local Plan.

Access Car Parking and Transport Assessment

Car parking is currently provided to the NW of the site (for staff) and to the south-east (students) with further parking along the southern boundary. Both car parks are accessed from Queensway and Dacorum Way with an exit only onto Marlowes. During the current demolition works some car parking has been lost to skip storage. A site visit

on 3rd July revealed that there were 68 car parking spaces plus 2 disabled car parking spaces available in the staff car park and 50 car parking spaces plus 4 disabled parking bays and motorcycle parking. In addition along the access opposite the Civic Centre there are a further 29 car parking spaces plus 3 disabled car parking spaces giving a total of 147 car parking spaces plus 9 disabled parking spaces. The site is located within Accessibility Zone 2 suggesting a proposal at the existing college site would require 25-50% of the maximum demand-based standards of parking to be provided.

With regard to access and car parking Saved Local Plan Policies 54 (Highway Design) and 55 (Traffic Management) seeks to ensure that developments provide access and servicing arrangements to national and local standards. Saved Local Plan Policy 57 (Provision and Management of Parking) sets out the principle of parking standards. Policy 58 and Appendix 5 stipulates Private Parking Provision for new development and the expansion and change of use of existing development. Policy 61 also promotes safe and convenient walking routes with appropriate provision for pedestrians will be a requirement of all development proposals. No additional standard parking will be provided on site and the car parking will remain as existing (which is outside the application boundary) apart from the disabled parking bays and cycle parking stands which will be provided in the car park immediately south of the site.

The proposals will result in an increase in student numbers this will reduce the current parking ratio, due to an increased number of journeys made by sustainable travel modes through the restriction of parking and will encourage the use of sustainable transport to access the site. Policy 62 and Appendix 5 of the Dacorum Borough Local Plan also promotes the provision of cycle parking. The scheme provides 38 spaces in addition the use of the cycling facilities will be monitored and more will be provided if the demand exists. The campus has existing shower facilities that will be retained. Utilisation will be monitored through the Travel Plan.

Policy 63 seeks to ensure that facilities are accessible to all and an additional four Disabled spaces are provided adjacent to the new building. This is in addition to other disabled spaces provided within existing car parking on the wider campus. This will provide safe and convenient access to the new facilities. The building itself has incorporated inclusive access design principles to ensure it is accessible to all users.

The Travel Plan submitted by the applicants notes that the college currently has 300 full time students and 40 full time staff. plus part time students. The proposal will result in an increase to 400 full time students but no increase in part time students or staff. It is proposed to earmark an area for a further 40 cycle parking spaces (above those proposed above) depending on demand. This will be monitored throughout the Travel Plan. An additional access from Marlowes initially for the construction phase would also serve the proposed 4 disabled parking spaces and servicing associated with the Phase 1 development.

Policy CS8 requires new developments to contribute to a well connected transport system giving priority to sustainable transport modes (a hierarchy from pedestrians top to private motor vehicles bottom), ensure good access for the disabled and strengthen links between key facilities. The Hemel Hempstead Masterplan and Access and Movement Strategy agree encouraging sustainable access and easy movement to and within the town centre by all forms of travel, more particularly walking and cycling. CS2 also encourages development which allows good sustainable transport links of this nature.

The site is already highly accessible by foot and conveniently located close to the Old town and within walking distance of residential areas services and facilities. Cycle parking is more limited but is in relatively close proximity to bicycle stands in Marlowes, Hemel Hempstead station and National Cycle Route 57. Many bus routes stop at Marlowes, Queensway with a hub 5 minutes walk south of the site. At present there is a high dependence on the private car amongst staff with 80% driving to site compared with only 30% of students driving and a further 10% as passengers in cars. The plan aims to reduce car share amongst staff by 6% and by students by 10%, increase car passenger use by up to 50% (Staff) and increase walking and cycling amongst students by 5% overall a 14% reduction in car dependency.

The Travel Plan seeks to raise awareness and encourage engagement with the Travel Plan by keeping it up to date and accessible with a member of staff taking on the role of Travel Plan co-ordinator. The LPA consider that the aims of the travel plan are relatively modest, but recognises the existing high level of accessibility to the site by methods other than private transport. The LPA would expect as later phases of development and awareness of the Travel Plan is established that further reductions in car dependency would occur.

Saved Appendix 5 of the Borough Local Plan has the following standards for FE colleges: 1 space per FTE staff and additional spaces every 5 FT students. Cycle standards are 1 space per 10 FTE staff and 1 space per every 5 FT students. At present the site is overprovided with car parking and underprovided with cycling parking, a legacy of its development well before the Local Plan was adopted.

Therefore the proposed retention of car parking spaces is considered to be acceptable. With regard to cycle parking 4 staff and 80 student spaces are required in accordance with the standards and the proposed 42 is therefore an under-provision. However a space earmarked for a further 40 cycle spaces is provided and this would ensure the cycle standards are met. 4 additional disabled car parking spaces would provide 13 disabled car parking spaces or 9% of the total above the 5% standard of total capacity of a car park (200 spaces or less). Accordingly it is considered that the car parking and cycle provision cycle parking provision and car parking spaces provided are adequate and accord with Policies CS2 and CS8 of the Core Strategy, Saved Policies 57-58 and 61-63 and Saved Appendix 5 of the Borough Local Plan. The LPA consider that a condition requiring implementation, maintenance and management of the Travel Plan is reasonable and proportionate requiring it to be updated annually as per its content and readily available on request to the LPA and HCC Highways.

In addition HCC Highways have requested conditions for prior approval by the LPA in consultation with themselves full details to illustrate roads, footways, and on-site water drainage, access arrangements, parking provision and turning areas, a full construction Management Plan detailing construction vehicle numbers, type, routing, traffic management requirements, construction and storage compounds, siting and details of wheel washing facilities, cleaning of site entrances, site tracks and the adjacent public highway, timing of construction activities to avoid school pick up/drop off times, the management of crossings of the public highway and other public rights of way and post-construction restoration / reinstatement of the working areas and temporary access to the public highway. These conditions are considered to be reasonable and necessary to accord with the above quoted planning policies.

Impact on Neighbours

The impact on the setting of the Grade II* Listed Building and the character and appearance of the Old Hemel Conservation Area has been dealt with above. It is considered that the design quality of proposed redevelopment will visually enhance the site having a positive impact on the neighbouring properties. The scale and bulk of the proposal is greater than existing reaching a height of up to 12 metres. However it is considered that it is of a sufficient distance away to have any meaningful impact as a consequence of its greater bulk than the existing development. The Conservation Officer has not raised objections and the retention of the mature trees on the Queensway boundary, the greater detailing provided in the amended plans of the north elevation are considered sufficient to allay any concerns and therefore the impact is considered to be preserved and enhanced in comparison with the existing development on site and upon The Bury and the Hemel Old Town Conservation Area. The impact upon the Civic Centre and the properties on the opposite side of the Marlowes is considered to be positive and as such the proposal accords with Policies CS12 and CS13 of the Core Strategy.

Sustainability and Flood Risk

In terms of energy efficiency and solar gain the proposed material of brick glass and render all are durable and can be expected to weather well. The proposal aims for a 21.1% CO2 improvement over Building Regulations Minimum (Part L), Glazing and orientation is set to maximise solar gains and set back from the river avoids overshadowing. This is augmented by the south, east and west elevations are all generously glazed with compared to the shaded north-facing elevation.

Particular attention has been paid to further reducing the need for energy mainly used for heating and cooling, the fabric and air tightness of the building have been improved beyond the Part L minimum standards. In addition further improvements are proposed such as the use of variable speed fans and pumps, low specific fan powers (SFP's), energy efficient heating and cooling, highly insulated domestic hot water storage vessels. The location of plant near to key usage areas to reduce delivery losses and low energy lighting. The proposals in terms of sustainability achievements is considered acceptable and in accordance with Policy CS31 of the Core Strategy.

Paragraph 100 of the NPPF states that '*inappropriate development in areas of high risk of flooding should be avoided by directing development away from areas at highest risk but where development is necessary making it safe without increasing floor risk elsewhere*'. Policy 31 of the Core Strategy 'Water Management requires water to be retained in the natural environment as much as possible supporting measure to reinstate natural flows in the river systems and water environment. Development will be required to avoid Flood Zones 2 and 3 unless for compatible use with a FRA accompanying developments in these areas explains the sequential approach, how water run-off is minimised, secure opportunities to reduce cause and impact of flooding and avoid damage to Groundwater Source Protection Zones.

The River Gade flows, adjoining the southern boundary part open channel and partly culverted. The EA Goundwater Vulnerability map notes the site is underlain by a principal aquifer overlain by a superficial aquifer with groundwater at a depth 2.8 to 3.7m below ground level. The EA floor zone map locates the development site in Floor Zone 1: Low probability (less than 1:1000 annual probability of flooding). Parts of the

greater site are in Flood Zone 3a and 3b but not the development site so no sequential test is required.

No flooding has occurred in recent years on site or further downstream although flooding occurred at Gadebridge Park upstream of the site in March 2007, November 2012 and February 2013. The FRA concludes that there is no risk from flooding from Reservoirs, Canals and other artificial sources, flood risk from ground and surface water will be mitigated through setting finished floor levels a minimum of 0.15m above adjacent ground levels and the creation of an 8m buffer strip adjacent to the River Gade for maintenance and purposes. The buffer strip will have the dual purposes of ensuring a contiguous wildlife corridor along the eastern bank of the river Gade. In addition a surface water draining scheme has been prepared. The Environment Agency in its consultation response is satisfied that inter alia the flood risk can be contained and managed through the impositions of planning conditions requiring details for approval by the local planning authority and their implementation in line with said approvals. The Lead Flood Authority has suggested a condition which would require the required details to be submitted for approval prior to the commencement of development. The LPA is satisfied that the development accords with Policy CS31 of the Core Strategy.

Bats

A habitat survey and bat roost assessment was carried out on behalf of the applicants in October 2009 on the site. Building M and three trees were assessed as having potential to support roosting bats. A further inspection then discounted building M. Since then several buildings including M have been demolished. In April 2015 prior to the intended demolition of Blocks C K and L, the applicant commissioned a preliminary Bat Roost assessment along with the 17 trees earmarked for felling as part of this development proposal. Block C will be retained until completion of the new building subject to planning permission being granted. The survey results found only one tree of the 17 to be felled suitable north of block L had moderate potential to support roosting bats. Therefore further bat investigation will be required prior to its removal. For the trees to be retained the applicant's proposed that bat boxes are installed within the site and a condition requiring plans and details submitted of where the bat boxes will be situated will be required as a condition of development along with details of bat tubes being incorporated into the fabric of the new building. Details should include how any proposed artificial lighting will impact on these avoiding the direct illumination of potential bat roosting features and thus these two conditional requirements should reasonably be linked.

Ecology in their consultation response agreed with the above and an additional informative advising that a bat ecologist is involved with the final lighting plan to avoid potential illumination of artificial roost features, which will also be incorporated into the design and on protected species will be added as requested

Lighting

Saved Local Plan Policy 113 (Exterior Lighting) also seeks to ensure there is no adverse impact on residential amenity, visual character and natural and historic environment, with the saved Local Plan Appendix 8 providing further information on lighting and design. The exterior lighting proposed as part of the proposals consists of wall lighting, bollard lighting and bulkhead feature lighting, all of which will be at an

appropriate level to the buildings setting as well as helping to minimising crime and the Environmental Guidelines (Safety and Security) also further guides developers in creating safe and secure environments. The submitted lighting details are considered acceptable and in accordance with Saved Policy 113 of the Borough Local Plan. It is recommended to impose a condition for external lighting (and any additional details required to be submitted for approval) on site to be implemented as per the amended plans in relation to the proposed condition in the paragraph immediately above.

Noise

The applicants commissioned a baseline environmental noise survey which was undertaken between 2pm and 2pm 14-15 April 2015. Measurements of noise and sound pressures level were taken throughout at 15 minute intervals. The survey was unmanned but it was considered that the noise emission limits for three periods; daytime evening and night-time, would be achieved in line with the LPA's limit of 5db below the prevailing background noise levels records during the survey. The plant will consist of 10 condenser units and a central AHU plant on the second floor plant deck on the south-east corner of the building. The condenser units are expected to operate during daylight hours only. It is considered that a condition requiring noise emission to be 5db below the background noise levels should be imposed, subject to planning permission being granted.

Archaeology

In October 2010 Archaeological Solutions Ltd carried out an archaeological trial trench evaluation at West Hertfordshire College, Dacorum Campus, Marlowes, Hemel Hempstead, Hertfordshire, (NGR TL0548 0753). The evaluation was carried out prior to the determination of a planning application seeking demolition of the existing college buildings to enable a comprehensive redevelopment comprising educational facilities, residential and commercial buildings. The desk based assessment noted significant potential for later post-medieval and modern remains and a low potential for all other periods, although the early medieval origins of the town and a nearby Romano-British villa were also noted. The evaluation revealed a concentration of 19th – 20th century activity to the north, east and centre of the site.

The trench excavations revealed features predominately comprised 19th – 20th century walls associated with the pre-1960's site development. Trenches 2, 4 - 6 and 8 contained the majority of these features. Other features included a gully which pre-dated the walls and a Roman pottery shed. The evaluation revealed large concentrations of 19th – 20th century building remains. No earlier features were present and this is likely due to the substantial development of the site during the 19th and early 20th centuries. The cellared buildings would have substantially destroyed any underlying archaeology, if present, and the subsequent demolition, redevelopment and landscaping in the 1960's would likely have affected much of any additional surviving remains.

It is considered that the archaeological importance of the site is therefore limited and that no new finds will be likely given the recent nature of the survey referred to above. Accordingly no planning condition requiring further investigation is considered necessary.

Other Material Planning Considerations

Security and Safer Places

The submitted safer places statement advises that all connections have been considered and necessary, all routes enjoy passive surveillance and are open to a degree limiting potential hiding places, with very limited segregation of users who will have a clear line of site through the site. Secured by Design have been consulted and the scheme provides clear building lines, waste will be stored in a bin store reducing climbing and fire starting opportunities. Despite the lack of formal public space a social break out space is provided which is well overlooked by the proposed building. The demolition of three existing run-down buildings will simplify campus layout.

The revised design details have sought to avoid blank building elevations with a courtyard around the social space allowing surveillance from staff and students. Natural surveillance opportunities from Marlowes and Queensway will also be evident. The college will be used throughout the year during the days and evenings. Three types of lighting have been provided; wall mounted, bulk head lighting and bollard lighting set at a uniform level avoiding over lit areas and light pollution designed to CIBSE guidelines and co-ordinated with CCTV installations. A sense of ownership is encouraged through signage, security gates and the sites general permeability in terms of design and lack of enclosure maintained through a bespoke.

The Crime Prevention Officer has considered the proposals and has no objection to them and therefore they are considered to be acceptable.

(Construction) Waste Management

A waste management statement has been submitted as part of this planning application. The plan will be kept by the college and a hard copy will be kept on display. This will require third parties to submit waste documentation for inclusion in the plan after the said waste has been removed. Waste minimisation measures include segregation of waste on site, re-usable materials to be identified and removed for storage and resale whilst recyclable and recoverable materials to be removed from site for processing in licensed facilities. Waste record will be kept as the project progresses. It is considered reasonable that these requirements are conditioned as part of a condition requiring the submission for approval by the LPA of a comprehensive construction management plan prior to any development on site taking place.

Conclusions

The principle of redeveloping the existing college campus is established in policy terms through the adoption of the Core Strategy (2013), the Hemel Hempstead Town Centre Master Plan and is also included within the Pre-submission Site Allocations DPD. The Hemel Hempstead Place Strategy, as set out within the Core Strategy, identifies local objectives for the town centre including the delivery of a new college (paragraph 20.6), which is subsequently reflected in Core Strategy Policy CS33.

The design addresses the need to be sympathetic to the existing surrounding buildings and conservation area and is appropriate to its internal functions as well as responding directly to the aspirations of the local development plan. The amended plans address

the design concerns of the LPA and the proposed development will not adversely impact on either the setting of the Listed Buildings; The Bury and St Mary's Church nor adversely impact the character and setting of the Conservation Area. Accordingly, the proposal is considered to accord with Policy CS27 of the Core Strategy and Saved Local Plan Policies 119 and 120.

The majority of trees are retained and supplemented by new tree planting to mitigate for tree loss. The proposal is acceptable in highway terms subject to conditions regarding visibility and a road safety audit. A Travel Plan is also required.

The proposal meets energy efficiency requirements.

The EA are satisfied that there is a low risk of flooding there would be no significant impact on ecology.

RECOMMENDATION

That planning permission be **GRANTED** subject to the following conditions:

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

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

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

ROUND INVESTIGATION REPORT
DRAINAGE STRATEGY STATEMENT
SAFER PLACES STATEMENT
SITE WASTE MANAGEMENT STATEMENT
DRAINAGE STRATEGY FINAL
ARCHAEOLOGICAL DESK BASED ASSESSMENT
APPENDIX J.3
APPENDIX J.2
APPENDIX J.1
TRANSPORT STATEMENT
FLOOD RISK ASSESSMENT
TRAVEL STATEMENT
ARBORICULTURAL IMPACT ASSESSMENT
DESIGN AND ACCESS STATEMENT
C-PLAN ENERGY STATEMENT
CONTRACTOR COMPOUND ASSESSMENT
NOISE IMPACT ASSESSMENT
BAT SURVEY
C-PLAN SUSTAINABILITY STATEMENT
DISABLED PARKING ASSESSMENT
ARCHEOLOGICAL TRIAL TENCH REPORT

HERITAGE STATEMENT

3D(20)02 REV 1
3D(20)03 REV 1
3D(20)04 REV 1
3D(20)05 REV 1
3D (20) 06
R-N5665/208 REV D
EL(20) 07 REV 2
EL(20) 05 REV 1
EL(20)08 REV 2
EX(90)03 REV 1
EX(90)04 REV 1
PL(20)01 REV 6
PL(20)03 REV 6
SP(20)03
PL(20)02 REV 6
PL(27)01 REV 3
PL(20)01 REV 4
PL(90)02 REV 9
SP(90)04 REV 1
SP(90)05 REV 1
SP(90)06 REV 3
SP(90)07 REV A
DT(90)01 REV 1
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E250 P01
EW01 P8
EW04 P3
PO1

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

- 3 **Other than the demolition of blocks K and L, no development shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted shall have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.**

Reason: To ensure a satisfactory appearance to the development, to safeguard the character and appearance of the Listed Building and to ensure development is approved which is in the interests of the visual amenities of the Conservation Area in accordance with Policies CS12 and CS27 of the Dacorum Borough Core Strategy and Saved Policies 119 and 120 of the Dacorum Borough Local Plan.

- 4 **In addition to the Arboricultural Survey submitted, prior to the commencement of development (apart from the demolition of Blocks K and L) further details of the size, species, and positions or density of all trees to be planted, and the proposed time of planting shall be submitted and approved by the Local Planning Authority. Species**

selection should be carefully considered as the site will be well used by pedestrians; trees should not present foreseeable hazards to site users. The particular trees proposed should also be able to withstand low maintenance and reflected heat (off nearby buildings and hard surfaces).

Once approved the scheme be implemented fully in accordance with the approved plans and details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in line with Policy CS12 of the Dacorum Borough Core Strategy and Saved Policies 99 and 100 of the Dacorum Borough Plan

- 5 The trees shown for retention on the approved Drawing No. 50162 SP(90)02 Rev 10 shall be protected during the whole period of site excavation and construction by the erection and retention of a 1.5 metre high chestnut paling fence on a scaffold framework positioned beneath the outermost part of the branch canopy of the trees.**

Reason: In order to ensure that damage does not occur to the trees during building operations in accordance with Saved Policies 99 and 100 of the Dacorum Local Plan

- 6 Full details of both hard and soft landscape works shall have been submitted to and approved in writing by the local planning authority. These details are to have been completed prior to occupation and shall include:**

- **hard surfacing materials;**
- **means of enclosure;**
- **soft landscape works which shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;**
- **trees to be retained and measures for their protection during construction works;**
- **proposed finished levels or contours;**
- **car parking layouts and other vehicle and pedestrian access and circulation areas;**
- **minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc);**
- **proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc, indicating lines, manholes, supports etc);**
- **retained historic landscape features and proposals for restoration, where relevant.**

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

safeguard the visual character of the immediate area in line with Policy CS12 and Saved Policies 10 99 and 100 of the Dacorum Borough Local Plan.

7 Notwithstanding the details submitted for the temporary car park and prior to occupation of the site, full details of both hard and soft landscape works shall have been submitted to and approved in writing by the local planning authority. These details shall include:

- **hard surfacing materials;**
- **means of enclosure;**
- **natural vegetation and planting (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;**
- **full details including elevational details of cycle parking**
- **full details including elevation details of refuse storage**
- **proposed finished levels or contours;**
- **any other minor details**

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

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with Policy CS12 of the Dacorum Borough Core Strategy and Saved Policies 99 and 100 of the Dacorum Borough Local Plan.

8 Apart from the demolition of Blocks K and L, prior to commencement of the development, the applicant shall submit a Construction Management Plan to the Local Planning Authority for approval in writing. The Construction Management Plan shall include details of:

- 1. Construction vehicle numbers, type, routing;**
- 2. Traffic management requirements;**
- 3. Construction and storage compounds (including areas designated for car parking);**
- 4. Siting and details of wheel washing facilities;**
- 5. Cleaning of site entrances, site tracks and the adjacent public highway;**
- 6. Timing of construction activities to avoid school pick up/drop off times;**
- 7. The management of crossings of the public highway and other public rights of way; and**
- 8. Post construction restoration / reinstatement of the working areas and temporary access to the public highway.**

The above approved Construction Management Plan to be implemented in full unless otherwise approved in writing by the Local Planning Authority

Reason: In the interests of maintaining highway efficiency and safety and mitigating any potential problems arising from the Construction phase of the approved development in accordance with Policy CS29 of the Core Strategy and Saved Policies 54 and 55 of the Dacorum Borough Local Plan

- 9 **No impact piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.**

Reason: To ensure that the undertaking of the approved development does not adversely impact on underground sewerage utility infrastructure in accordance with Policy CS31 of Dacorum Borough Core Strategy.

- 10 **That apart from the demolition of Blocks K and L, prior to the commencement of development a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.**

Reason: To prevent sewage flooding in accordance with Policy CS31 of the Dacorum Borough Core Strategy

- 11 **Notwithstanding the information provided and apart from the demolition of Blocks K and L, no development shall commence on site until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the critical storm event will not exceed the run-off from the undeveloped site following the corresponding rainfall event and provide pre-development greenfield run-off rates where possible. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.**

The scheme shall also include:

1. Detailed pre and post development surface water run-off rate calculations for all rainfall events up to and including the 1 in 100 year + climate change event.
2. Detailed pre and post development surface water volume calculations for all rainfall events up to and including the 1 in 100 year + climate change event.

3. **Surface water calculations including all impermeable and permeable areas to provide a total volume and surface water run-off rates**
4. **Provide betterment by achieving greenfield run-off rates**
5. **Provide a sustainable drainage system prioritising above ground methods such as ponds, swales etc.**
6. **Provide source control measures such as permeable paving, infiltration trenches to ensure surface water run-off from the proposed car parking and roads can be treated in a sustainable manner and reduce the requirement for maintenance of underground features.**
7. **Final detailed drainage strategy including a detailed drainage which sets out the final development layout.**
8. **Details of the proposed informal surface water flooding including the return rainfall event it will flood, the location it will flood and expected depths of flooding.**
9. **Full details demonstrating how the development will utilise sustainable urban drainage systems (SUDS) or reason given as to why there are practical reasons for not doing so. Details should include the aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible in line with the following drainage hierarchy:**

- (i) **store rainwater for later use**
- (ii) **use infiltration techniques, such as porous surfaces in non-clay areas**
- (iii) **attenuate rainwater in ponds or open water features for gradual release**
- (iv) **attenuate rainwater by storing in tanks or sealed water features for gradual release**
- (v) **discharge rainwater direct to a watercourse & discharge rainwater to a surface water sewer/drain**

Reason: In the interests of sustainable development in accordance with Policies CS29 and CS31 of the Dacorum Borough Core Strategy.

- 12 **Apart from the demolition of Blocks K and L, no development shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:**

- 1) **A site investigation scheme, based on the Report on Ground Investigation (Applied Geology Limited, Report number: AG2233-15-V83, dated May 2015), to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.**
- 2) **The results of the site investigation and detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.**
- 3) **A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation**

strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To protect groundwater in line with your policies CS31 and CS32 of the Dacorum Borough Core Strategy

- 13 **No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a “long-term monitoring and maintenance plan”) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.**

Reason: To protect groundwater in line with Policies CS31 and CS32 of the Dacorum Borough Core Strategy

- 14 **No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.**

Reason: To protect groundwater in line with Policies CS31 and CS32 of the Dacorum Borough Core Strategy

- 15 **If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.**

Reason: To protect groundwater in line with Policy CS31 and CS32 of the Dacorum Borough Core Strategy

- 16 **That prior to the removal of Tree ref (T7) as shown on the approved plans, an intrusive inspection of this tree by a bat ecologist shall be undertaken and the findings made available to the Local Planning**

Authority upon request

Reason: In the interests of good ecological practice.

- 17 **Notwithstanding the details of artificial lighting submitted with the approved development, the applicant must prior to occupation on site submit details for approval by the local planning authority which demonstrate how the proposed lighting plan does not adversely impact on the installation of bat and bird boxes especially the avoidance of potential illumination of artificial roost features, which will also be incorporated into the design. The details should also indicate the provision of directional hoods fixed in the horizontal position to minimise light spill and direct light away from boundary vegetation to ensure dark corridors remain for use by wildlife as well as directing lighting away from potential roost / nesting sites. The details shall be implemented as approved and retained thereafter.**

Reason: To ensure the development by being properly externally illuminated does not adversely impact on protected wildlife in accordance with Policy C26 of the Dacorum Borough Core Strategy and Saved Policy 113 of the Dacorum Borough Local Plan

- 18 **Notwithstanding the details submitted in relation to the approved development, full details of location of bird and bat boxes shall be submitted to the local planning authority prior to first occupation of the site and implemented as approved and retained thereafter**

Reason: To ensure that development accord with Policy CS26 of the Dacorum Borough Core Strategy

- 19 **Notwithstanding any details already submitted (and apart from the demolition of blocks K and L) prior to the commencement of the development hereby permitted full details (in the form of scaled plans and / or written specifications) shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority to illustrate the following:**

a)

- i) Roads, footways, and on-site water drainage,
- ii) Access arrangements in accordance with those shown in principle on approved plan 50162 SP(90)02 revision 9,
- iii) Parking provision in accordance with adopted standard and
- iv) Turning areas.

b)

A Stage 2 Road Safety Audit for the proposed highway improvements and access junction shall be completed and submitted to and for approval by Hertfordshire County Council.

Reason: In the interests of highway safety and proper planning and development in accordance with Policy CS8, and Saved Policies 54, 55, 61,

62 and 63 of the Saved Dacorum Borough Local Plan.

- 20 **That the submitted Travel Plan be implemented and maintained in full, be updated on an annual basis as per its content and readily available for inspection by both the LPA and Hertfordshire County Council**

Reason: In the interests of sustainable transport planning in accordance with Policy CS8 of the Dacorum Borough Core Strategy

- 21 **Noise emissions from plant on site shall be at all times 5db below the background noise levels**

Reason: In the interests of neighbourhood amenity in accordance with Policy CS32 of the Dacorum Borough Core Strategy.

- 22 **Prior to first occupation of the development hereby permitted a visibility splay measuring 2.4 x 43 metres shall be provided to each side of the access where it meets the highway and such splays shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.**

Reason: In the interests of highway safety in accordance with Policy CS8 of the Dacorum Borough Strategy and Saved Policies 54 and 55 of the Dacorum Local Plan.

- 23 **That petrol / oil interceptors be fitted for in all car parking/washing/repair facilities and retained thereafter**

Reason: To prevent oil-polluted discharges entering local watercourses in accordance with Policy CS31 of the Core Strategy

- 24 **That the finished floor levels of the blocks hereby approved to be a minimum of 0.15m above adjacent ground levels**

Reason: To minimise the potential damage should surface water flooding occur in accordance with Policy CS31 of the Core Strategy

Informatives

1. Ecology

It is possible that bats may be using areas of the site.

UK and European Legislation makes it illegal to:

Deliberately kill, injure or capture bats;

Recklessly disturb bats;

Damage, destroy or obstruct access to bat roosts (whether or not bats are present).

If bats or evidence of them are found to be present a licence will be required before

any relevant works can be undertaken and this will involve preparation of a Method Statement to demonstrate how bats can be accommodated within the development.

In the event of bats being found, work should stop immediately. Because bats are a European Protected Species, English Nature should be kept informed of the whole process.

Contacts:

English Nature	01206 796666
UK Bat Helpline	0845 1300 228 (www.bats.org.uk)
Herts & Middlesex Bat Group	01992 581442

It is possible that badgers may have setts within the site.

If badger setts are identified a licence from English Nature may be required for:

- Using heavy machinery (e.g. tracked vehicles) within 30 metres of an entrance to an active sett.
- Using lighter machinery (e.g. wheeled vehicles) and digging within 20m of an active sett.
- Light work (e.g. hand digging or scrub clearance) within 10m of an active sett.

2. The applicant is advised that there are public sewers crossing this site, therefore no building will be permitted within 3 metres of the sewers without Thames Water's approval. Should you require a building over application form or other information relating to your building/development work please contact Thames Water on 0845 850 2777.

3. Water

Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Water pipes. The developer should take account of this minimum pressure in the design of the proposed development. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.

'We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any

discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality

Contamination

When dealing with contamination on site we recommend that developers: Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination.

Refer to our Guiding Principles for Land Contamination for the type of information that we require in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.

Refer to www.gov.uk for more information and, in particular, the Planning and Land Contamination resource pages at <https://www.gov.uk/contaminated-land>

Refer to Groundwater Protection Principles and Practice (GP3). This can be viewed at <https://www.gov.uk/government/publications/groundwater-protection-principles-and-practice-gp3>

The verification report should be undertaken in accordance with in our guidance 'Verification of Remediation of Land Contamination'. This can be found at <https://www.gov.uk/government/publications/verification-of-remediation-of-land-contamination>

4. Bat Roosts and Lighting

It is advised that a bat ecologist is involved with the final lighting plan to avoid potential illumination of artificial roost features, which will also be incorporated into the design.

5. Highways Act 1980

(i) Construction standards for new/amended vehicle access: Where works are required within the public highway to facilitate the new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the constructed of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways> or by telephoning 03001234047

(ii) Where works are required within the public highway to facilitate the new vehicle access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to Hertfordshire County Council Highways team to obtain their permission and requirements. Their address is County Hall, Pegs Lane, Hertford, Hertfordshire, SG13 8DN. Their telephone number is 03001234047.

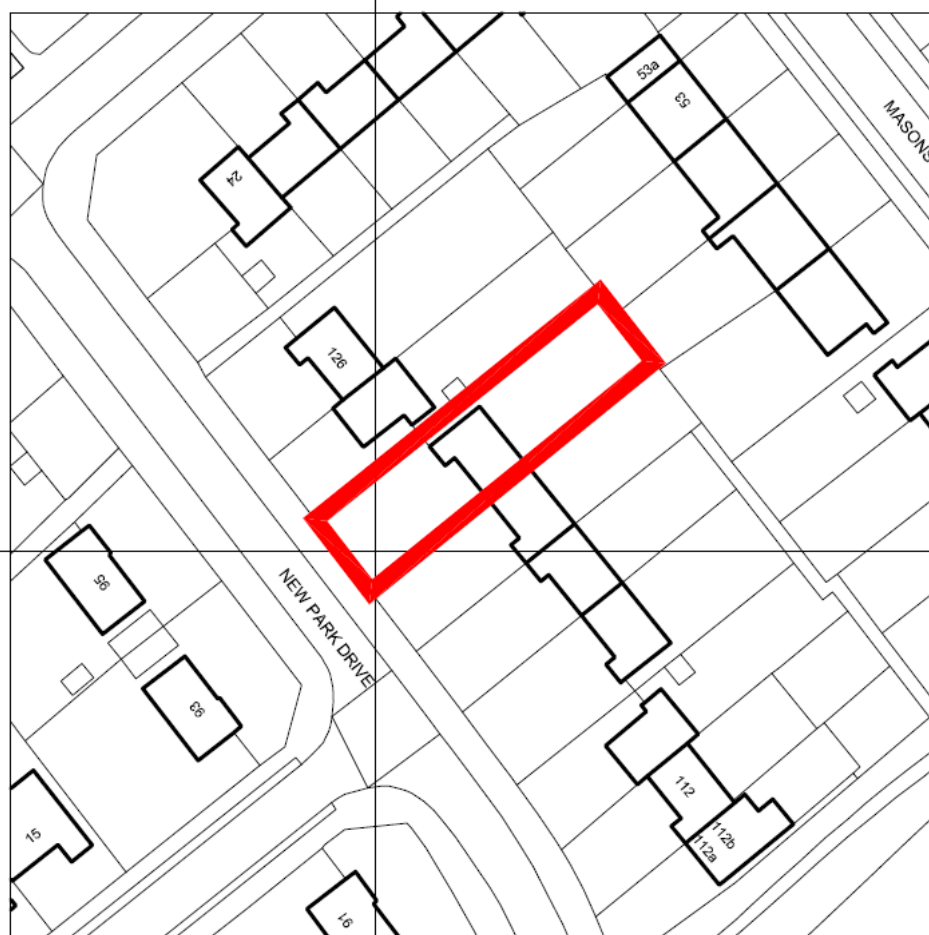
(iii) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible,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

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

ITEM 5.05

4/01171/15/FHA- SINGLE-STOREY FRONT EXTENSION, PART SINGLE-STOREY, PART TWO-STOREY REAR EXTENSION AND ASSOCIATED ALTERATIONS

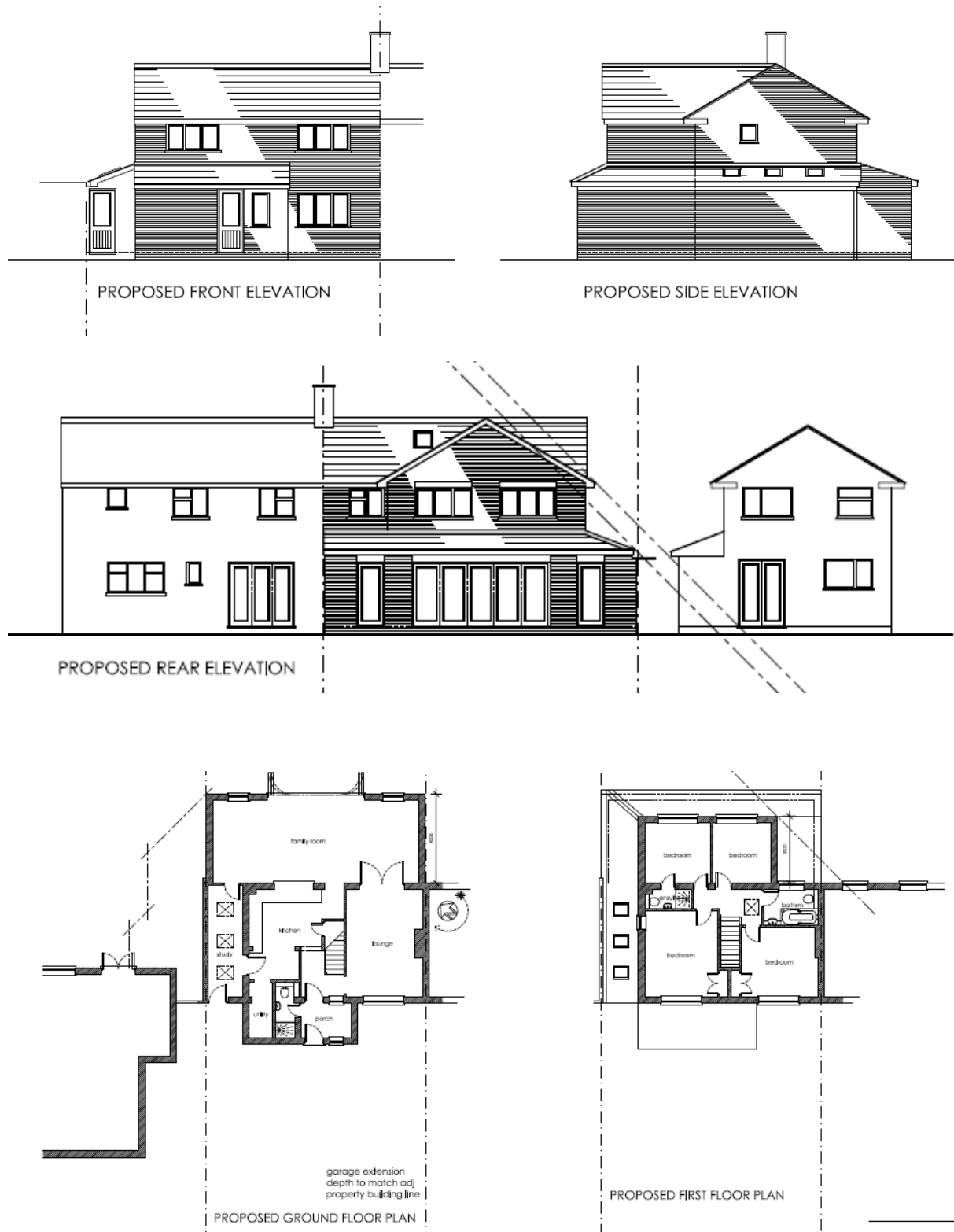
122 NEW PARK DRIVE, HEMEL HEMPSTEAD, HP2 4QW



ITEM 5.05

4/01171/15/FHA- SINGLE-STOREY FRONT EXTENSION, PART SINGLE-STOREY, PART TWO-STOREY REAR EXTENSION AND ASSOCIATED ALTERATIONS

122 NEW PARK DRIVE, HEMEL HEMPSTEAD, HP2 4QW



**4/01171/15/FHA - SINGLE-STOREY FRONT EXTENSION, PART SINGLE-STOREY, PART TWO-STOREY REAR EXTENSION AND ASSOCIATED ALTERATIONS.
122 NEW PARK DRIVE, HEMEL HEMPSTEAD, HP2 4QW.
APPLICANT: MR AND MRS J PILLAY.**

[Case Officer - Martin Stickley]

Summary

The application is recommended for approval.

The principle of residential development is considered acceptable in the sites location within a residential area. The original scheme conflicted with the 45° rule set out in saved Appendix 7 of the Dacorum Borough Local Plan 1991-2011 (DBLP) regarding loss of light. However, the submission of amended plans has relieved this issue and the application is now considered acceptable in accordance with saved Appendix 7 of the DBLP.

The proposed works would not have any adverse impact on the appearance of the dwelling and would not significantly detract from the street scene. The development would not have a detrimental impact on the amenity of neighbouring properties. The access and car parking is deemed satisfactory. Therefore, the proposal is acceptable in accordance with the aims of the National Planning Policy Framework; Policies CS4, CS11 and CS12 of the Core Strategy and saved Policy 58, and saved Appendices 5 and 7 of the DBLP.

Site and Surroundings

The application site is located on the north-eastern side of New Park Drive, within the Hemel Hempstead Character Area of Adeyfield South (HCA22). The surrounding area is designated for residential use and generally comprises terraced and semi-detached dwellings. The Maylands employment area is located approximately 250 metres to the east. The dwelling in question is an end-of-terrace property, characterised by light brick and white uPVC window frames.

Proposal

The application seeks planning permission for a single-storey front extension, slightly enlarging an existing porch and utility room. The application also comprises a part-single-storey, part two-storey rear extension. The single-storey element extends 4m from the rear elevation and stretches the full width of curtilage. The upper-floor would extend out 3m from the rear elevation but has been set back from the south-eastern boundary by 2m and 1.65m from the north-west boundary. The proposed rear extension would match the existing ridge height. The application includes a new lean-to roof on an existing single-storey side projection, incorporating three new roof lights, and a new roof light on the existing rear roof slope.

Referral to Committee

The application is referred to the Development Control Committee at the request of Councillor Adshead for the reasons listed below:

- Overbearing
- Loss of light

Planning History

None.

Relevant Policy

National Planning Policy Guidance

National Planning Policy Framework (NPPF)

Dacorum Core Strategy 2006-2031

NP1 - Supporting Development
CS4 - The Towns and Large Villages
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS29 - Sustainable Design and Construction
CS31 - Water Management
CS32 - Air, Water and Soil Quality

Dacorum Borough Local Plan 1991-2011

Policy 58 - Private Parking Provision
Appendix 5 - Parking Provision
Appendix 7 - Small-scale House Extensions

Summary of Representations

Local Residents

118 New Park Drive, Hemel Hempstead, HP2 4QW

As a resident at this address for 39 years I am objecting to this development for the following reasons:

1. It will substantially alter the appearance of the terrace, blocking neighbours light and creating a claustrophobic effect to the front access for No.124.
2. The garage extension will also further substantially affect the frontal outlook we enjoyed and appreciated, until fencing was erected, for all the years of our residence.
3. The outward protrusion and height of the rear extension will again cause light disruption and the impression of being closed in and dominated/overwhelmed by the building.
4. The anticipated extra noise, traffic, dust, stored materials/equipment during the building phase is another cause of concern in a narrow residential road.
5. The whole character and ambiance of the terrace will be permanently altered.

120 New Park Drive, Hemel Hempstead, HP2 4QW

We wish to object to the planning application reference number 4/01171/15/FHA. We object to the planning options for 122 New Park Drive on the grounds of loss of light with the two-storey extension planned. I already lose light with the fence that is up already. If the extension goes ahead I would not only lose lighting into living room but also to my bathroom. My husband is partially sighted and registered disabled.

Further comments (amended plans)

We strongly object to the planning application 4/01171/15 FHA. On the grounds that we would have no privacy in our back garden. The building would be overbearing. This is totally inappropriate. This plan would also have severely affect light coming into my property. The single-storey with garage planned will be totally out of character with the adjoining terraced houses in the street. We have examined the plans and find it would have a negative effect on all the neighbouring properties.

Further comments (amended plans v2)

I wish to object to this planning application 4/01171/15/FHA again. I'm objecting on the grounds that the rear extension will bring loss of light and overshadow my property. It will overlook my property and loss of privacy which with cameras up already I will have no privacy at all if this extension goes ahead. This extension will look out of place in this street which has a good community of elderly and retired people and the noise will disrupt them and disturb traffic coming and going. Also this extension will also look out of place for an ex-council house.

124 New Park Drive, Hemel Hempstead, HP2 4QW

Having reviewed the plans supplied by the applicant, we would like to place an objection against the application. The reasons for objection are as follows:

Loss of Light, Overshadowing, Loss of View and Safety

As the current proposal stands I would lose a great deal of the light coming in to the side windows of my property, which was one of the reasons for our purchase. The front elevation, especially with the pitch roof, would essentially mean me having to walk through an dark alleyway to get to my front door and that would mean that from my lounge window I would only be able to see their extension and have my visual intrusion and loss of light and overshadowing comes into play. To me this is not acceptable. No other property has any large side extensions like this or a garage on the front of there house making this stand out from the rest of the street.

The proposed rear extension would reach half the length of our back garden. Having a double elevation would be too imposing as it would block most of our natural light and would be the main view from the kitchen and back bedroom windows. The positioning of my property is already set forwards from the rear of the property in question and projecting further back, would in my view, be too much and would be to my knowledge, setting a precedent for the street.

Further comments (amended plans)

My husband and I have received and have further objections to the plans submitted

under the ref above for 122 New Park Drive.

We do not feel that the plans have been altered enough.

The new plans submitted for the rear have been altered on the side further from my property, meaning that considerable loss of light to my property is no different to the original plan, which we had objections to.

Our property is situated forwards towards the street, meaning that their property already sits further back to the rear than ours anyhow. The plans submitted mean further encroachment increasing the shadowing over our property, blocking light to our kitchen, dining room, and rear bedroom.

The re submission regarding the front of the property has been altered slightly but will still cause huge overshadowing of the side and front of our property. The proposed elevation to the front will only be a few short feet further away from our boundary than the original plan. This will still result in very little to no natural light through the side window into my living room. The dual aspect of this room was one of the main reasons for our purchase.

The walk from my car to my front door is already like a tunnel due to the fence they have erected and the front elevation proposed would make this worse. I work at the local prison, and it is very important for me to feel as though I can enter my property with full view of the street without fear of someone waiting for me. Installing a light would not be sufficient, I need to feel as though my neighbours are able to see my front door.

Our second objection to the front proposal is the fitting into the surrounding area. No other property on the street has a garage protruding out at the front in such a manner. It would not fit in with the area and would set an unwelcome precedent.

Further comments (amended plans v2)

I am writing again in response to the new planning submission from our neighbours at 122 New Park Drive. Although the plans now do not include an extension to the front of the property, the plans to the rear remain unchanged.

I further submit that the intended changes to the rear will be at a great cost to my property. The two storey extension planned will still result in great loss of light and overshadowing as it will encroach halfway down our back garden, blocking the light to that part of it.

The fact that the property next door would be this far down our garden will also result in a loss of privacy in our garden. It will feel as though the rear windows will be practically hanging over our garden and there would be nowhere we would not feel overlooked from a very short distance.

There are no other properties in the immediate area that have such modifications to the rear and we feel that such changes would take this house out of the bracket that the area is suitable for small families and those downsizing as they get older.

Hertfordshire Police

Thanks for consulting me regarding this. Due to time constraints I have been unable to pay a site visit and so my comments are based on the information supplied.

Comments

No. 124 front door and access: I note that the front door is at the side of the dwelling down an existing alleyway arrangement and that the fence between 124 and 122 appears to step down in size towards the front public pavement. My normal generic advice regarding front doors down the side of the dwelling is to try and design them so front doors are only fitted to the front elevation.

There are disadvantages to front doors down the side of a dwelling which are:

- It can make the front elevation of the dwelling to the street appear inactive as the front door is not on the front elevation, even though there are active room windows facing the road.
- The side rear gates which give access to the rear garden are down an alleyway with no natural surveillance down them, which would aid offenders wishing to climb over this side gate / fence into the rear garden which is from where most domestic burglaries take place.
- This arrangement can isolate the occupant opening the door to a stranger, as there is little natural surveillance over the front door from the street. Thus a fear of crime is created as well as increasing the opportunity for crime.
- Because the front door is at the side it also means householders have to walk down the side alleyway, which on a dark evening especially in winter may create a fear of crime. Also if someone were to wait down this alleyway for an occupier to come home the occupier would not be able to see down this alleyway until they actually started to walk down it which would give them no prior warning. Also unfortunately with partnership breaks ups being more common and the consequent threat of domestic violence, this provides an opportunity for a threatening situation to more easily arise.
- Secured By Design states that front doors should not be recessed more than 600mm as this provides hiding areas. By creating a front door half way down the side of the property this has greatly increased the potential hiding area and thus the front door should be by the front elevation.
- Streets overlooked by building fronts (accommodating the entrances) improve community interaction and natural surveillance, creating a safe feel for residents and passers-by. Building with an obvious relationship to a public front and private back, fundamentally have improved security through their design.

As can be seen the occupier at 124 is at a disadvantage, and I can see why they feel a fear of crime potential, with the proposed new development (even without taking into consideration their occupation).

Proposed extension to 122: I note that the roof line over the ground floor new proposed development, over the new garage reach at its apex almost up to the 1st

floor bedroom window sill. This means that even though the roof line is sloping back and away from 124, and the garage will be set 1m away from the boundary, the roof line will still be very visible above the front boundary fence separating 124 and 122.

Fence separating 122 and 124 front gardens: I have looked at the two properties from ground level on Google Earth, and at the time the picture was taken there was no fence separating 122 and 124 to the front garden area. This meant that the front door access to 124, was very open and people walking along the street or accessing the terrace of dwellings at the side (124, 126 and 128) had good natural surveillance over the access path to the front door of 124. This means that the occupant of 122, would have felt safe accessing and regressing their front door as well as answering it to strangers. Also the new fence prevents occupants in the front active room of 122 looking out of their side window across the gardens of 124, 126 and 128, the public footpath and roadway.

Conclusion: I therefore agree with the comments from the neighbour at 124, even though the problem is not caused by either occupant, but is from the original design of when the houses were originally built, and the fence that has been installed between the two properties separating the front garden.

Further comments (amended plans)

Looking at the amended plan, as regards to designing out crime, I am content with the application proposed.

Considerations

The main issues of relevance to the consideration of this application relate to the impact of the works upon the character and appearance of the dwelling in accordance with Policies CS12 and CS13 of Dacorum's Core Strategy. Other issues of relevance relate to the impact of the proposal on the character and appearance of the street scene, the impact on neighbouring properties and the impact on car parking.

Effect on Appearance of Building and Street Scene

An assessment of the impact of the proposed works has considered the impact on the appearance of the building and street scene. The proposal would not have an adverse impact on the visual amenity of the property or the wider street scene. The majority of the works are situated to the rear of the property and would not be visible from the public realm. The works to the rear would therefore not appear incongruous to the existing dwelling or street scene in accordance with Policy CS12 of the Core Strategy.

At present, the terrace comprising 116, 118, 120 and 122 New Park Drive generally have open front gardens, positively contributing to the aesthetics and open feel of the street. The original scheme proposed a large front extension (garage), which would have developed the front of the plot and reduced the feeling of openness. This element was removed from the scheme and the remaining front extension is extremely marginal in comparison. Therefore, it is felt that the proposed single-storey front extension would not detract further from the street scene in accordance with Policy CS11 of the Core Strategy.

The proposal would be constructed with materials that would match the existing dwelling and would therefore harmonise with the parent building in accordance with Policy CS12 of the Core Strategy. In conclusion, it is felt that the proposal would not significantly detract from the appearance of the building or character of the street scene in accordance with Policies CS11 and CS12 of the Core Strategy.

Effect on Amenity of Neighbours

Consideration has been given to the impact that the proposed extension would have on the adjoining neighbours. Policy CS12 states that regarding the effect on the amenity of neighbours, development should avoid visual intrusion, loss of light and loss of privacy.

The application site currently has two directly adjoining neighbours, 120 and 124 New Park Drive. Both of these neighbours have objected to the scheme. The grounds of their objections are listed below, as well as the ways that the amended scheme has addressed their concerns. The amended scheme will also be discussed and how it has helped to mitigate the negative impacts on these neighbouring properties.

- Overlooking and loss of privacy

The proposal would not reduce privacy to the neighbours when compared with the existing first-floor windows. There are no new windows proposed on the flank walls.

- Visually overbearing

Although the rear extension is fairly substantial, the amended scheme has centralised the first-floor element, bringing it in from the boundary of No. 120 by 2m and No. 124 by approximately 1.65m. This has been done to avoid visual intrusion and ensure that the proposal is not overbearing in accordance with Policy CS12. It should be noted that a two-storey rear extension (3m in depth) can be constructed as permitted development as long as it is set back from the flank boundaries by 2m, set no higher than the existing dwelling and set away from the rear boundary by 7m.

- Loss of light

Both neighbours strongly objected with regards to loss of light. However, using the assessment criteria set out in saved Appendix 7 of the DBLP, the amended scheme would not intrude into a 45° line from the midpoint of any neighbouring windows. The original scheme failed the light assessment and it was found that there would be a reduction of light to the neighbour at No. 120. The amended scheme addressed this issue by bringing the first-floor part of the extension away from this neighbour by two metres. The objector at No. 120 was concerned with the reduction of light to their ground floor lounge and upstairs bathroom. It should be noted that the bathroom window is constructed with obscure glazing and the primary window for the downstairs lounge sits at the front of the property, which would not feel any negative impact with regards to light.

The other neighbour at No. 124 objected with regards to loss of light to the side windows of their lounge. Again, it should be noted that this window is not considered as the primary window for this room. There is a much larger window on the principle

elevation that would be considered as the primary window. However, to mitigate any issues with regard to light to this window, the agent has removed the garage. This neighbour also commented with regards to loss of light to the rear of their property. Due to the location of the objectors property (being set in front by approx. 3.8m), loss of light to these windows is a pre-existing issue and would not be accentuated by the rear extension. The architect has included 45° degree lines and sun dials on the plan (0572/01D) to prove that the proposal meets our requirements in terms of sunlight/daylight. The eaves of the proposed rear extension are set down two metres from the existing pitched roof and using the guidelines set out in saved Appendix 7, it is apparent that the issue of reduced light would be extremely minimal.

It should be noted that measurements were taken during the site visit to ensure the accuracy of the sunlight/daylight assessment.

It should also be noted that due to the orientation of the dwellings and the pathway of the sun, the sunrise and early morning hours of sunlight are obscured by existing urban development and vegetation. As the sun moves through the sky, it makes its way over the top of the properties, allowing more light into the gardens. By the afternoon, the sun has moved to the front of these properties.

- Safety

The neighbour at No. 124 raised further concerns on the plans by stating that the garage to the front of the property would create a "dark alleyway" for the walk from her car to the front door. She works for a local prison and is concerned that her neighbours would not be able to see her entering her property. To ensure that the proposal would not cause any safety implications, Hertfordshire Police were consulted for comments. They responded with the following:

"I agree with the comments from the neighbour at 124, even though the problem is not caused by either occupant, but is from the original design of when the houses were originally built, and the fence that has been installed between the two properties separating the front garden."

Although Herts Police commented negatively on the application, they were mainly concerned with an existing fence, which had been erected under permitted development rights. However, Michael Clare, Crime Prevention Design Advisor, said that the proposed garage would worsen the existing issue with regards to safety/crime. The garage element was removed from the application and further comments from Hertfordshire Constabulary stated *"looking at the amended plan, as regards to designing out crime, I am content with the application proposed"*.

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

Access and Car Parking

The need for and ability to provide additional off-street parking should be taken into account when considering proposals for extra bedroom accommodation (saved

Appendix 5 of the DBLP). The proposal would involve the creation of two additional bedrooms, transforming the existing two-bedroom dwelling to a dwelling with four bedrooms. A dwelling of this size would generate a maximum requirement of three on site car parking spaces; 1.5 above the existing requirement for the existing two-bedroom dwelling on the application site.

Three off-street parking spaces would be retained as a result of this proposal. Furthermore, the site is located proximate (walking distance) to local centres within Hemel Hempstead. It follows that the parking arrangements are acceptable in accordance with Policy CS12 of the Core Strategy and saved Policy 58 of the Local Plan.

Additional Information

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 Liable.

RECOMMENDATION - That planning permission be **GRANTED** subject to the following conditions:-

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

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

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

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

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

0572/01D

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

Article 31 Statement

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

has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

ITEM 5.06

4/01158/15/FHA- TWO-STOREY SIDE EXTENSION

THE GREY HOUSE, KITSBURY ROAD, BERKHAMSTED, HP4 3EA



**4/01158/15/FHA - TWO-STOREY SIDE EXTENSION.
THE GREY HOUSE, KITSBURY ROAD, BERKHAMSTED, HP4 3EA.
APPLICANT: Mr & Mrs Campbell.**

[Case Officer - Joan Reid]

Summary

The application is recommended for approval.

Site Description

The application site is located within the residential area of Berkhamsted and comprises a large two storey dwelling. The site is located within the Berkhamsted Conservation Area and the Grey House has been described as a non-designated heritage assets. The original grounds of the Grey House has recently been developed with four new dwellings.

Proposal

The application seeks planning permission for a two storey side extension.

Referral to Committee

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

Planning History

4/03699/14/FH REAR ENTRANCE PORCH

A

Granted
30/03/2015

4/01006/14/N NON MATERIAL AMENDMENT (PLOT 5 RELOCATION OF
MA WINDOWS) TO PLANNING PERMISSION 4/01044/12/FUL
(ALTERATIONS AND EXTENSION TO EXISTING HOUSE AND
CONSTRUCTION OF FOUR NEW DWELLINGS (AMENDED
SCHEME).

Granted
27/01/2015

4/01210/14/N NON MATERIAL AMENDMENT (PLOT 3 SOLAR PANELS) TO
MA PLANNING PERMISSION 4/01044/12/FUL (ALTERATIONS AND
EXTENSION TO EXISTING HOUSE AND CONSTRUCTION OF
FOUR NEW DWELLINGS (AMENDED SCHEME).

Delegated

4/01211/14/N NON MATERIAL AMENDMENT (PLOT 3 DORMERS) TO
MA PLANNING PERMISSION 4/01044/12/FUL (ALTERATIONS AND
EXTENSION TO EXISTING HOUSE AND CONSTRUCTION OF
FOUR NEW DWELLINGS (AMENDED SCHEME).

Granted

27/01/2015

4/00870/14/TP WORKS TO TREES

O

Granted
31/07/2014

4/02339/13/DR ADDITIONAL/ ALTERNATIVE DETAILS OF MATERIALS AND
C HARD LANDSCAPING (ROOF TILE AND PAVING ONLY) AS
REQUIRED BY CONDITION 3 AND 4 OF PLANNING
PERMISSION 4/01044/12/FUL (ALTERATIONS AND EXTENSION
TO EXISTING HOUSE AND CONSTRUCTION OF FOUR NEW
DWELLINGS (AMENDED SCHEME))

Granted
15/05/2014

4/02255/13/N ALTERATIONS AND EXTENSION TO EXISTING HOUSE AND
MA CONSTRUCTION OF FOUR NEW DWELLINGS (AMENDED
SCHEME) - NON-MATERIAL AMENDMENT TO PLANNING
PERMISSION 4/01044/12/FUL

Granted
17/12/2013

4/01005/13/N ALTERATIONS AND EXTENSION TO EXISTING HOUSE AND
MA CONSTRUCTION OF FOUR NEW DWELLINGS (AMENDED
SCHEME) - NON-MATERIAL AMENDMENT TO PLANNING
PERMISSION 4/01044/12/FUL

Granted
16/10/2013

4/00843/13/DR DETAILS OF MATERIALS, HARD AND SOFT LANDSCAPING
C WORKS, WINDOWS, RENEWABLE ENERGY, CONSERVATION
MEASURES, SUSTAINABLE DRAINAGE AND WATER
CONSERVATION, CONTAMINATION, SLAB, FINISHED FLOOR
AND RIDGE LEVELS AS REQUIRED BY CONDITIONS 3, 4,
10,11,12 13 OF PLANNING PERMISSION 4/01044/12/FUL
(ALTERATIONS AND EXTENSION TO EXISTING HOUSE AND
CONSTRUCTION OF FOUR NEW DWELLINGS (AMENDED
SCHEME))

Granted
17/10/2013

4/01044/12/FU ALTERATIONS AND EXTENSION TO EXISTING HOUSE AND
L CONSTRUCTION OF FOUR NEW DWELLINGS (AMENDED
SCHEME)

Granted
20/08/2012

4/02008/11/FU ALTERATIONS AND EXTENSION TO EXISTING HOUSE AND
L CONSTRUCTION OF FIVE NEW DWELLINGS (AMENDED
SCHEME)

Refused

18/01/2012

4/01151/10/FU ALTERATIONS AND EXTENSION TO EXISTING HOUSE AND
L CONSTRUCTION OF SIX NEW DWELLINGS
Refused
17/11/2010

Policies

National Policy Guidance

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

Adopted Core Strategy

CS4 - The Towns and Large Villages
CS8 - Sustainable Transport
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS27 - Quality of the Historic Environment
CS29 - Sustainable Design and Construction

Saved Policies of the Dacorum Borough Local Plan

Policies 99,120
Appendices 5 and 7

Summary of Representations

Berkhamsted Town

It was **RESOLVED** to suspend Standing Orders to allow Mr Campbell, the applicant to speak for the application.

Mr Campbell explained that the amended application sought to address previous concerns regarding the extension.

This application had removed the balcony and spiral staircase so that there was only ground floor access to what would be a garden room. The loss of garage space meant the room would be used for storage of garden furniture and would remove the need for a storage shed to be constructed in the garden

The proposed extension has been reduced in size by 20%, and had been set back so as to be subordinate, proportionate to and complement the main building. The extension would be in materials appropriate to the Conservation Area and the restoration of the Grey House.

The reduced-size extension retained the gap between buildings, maintained the long view over the valley and would not adversely impact on neighbours.

Other houses in the neighbourhood have had similar sized extensions approved and built.

The meeting was reconvened.

Object.

The changes in this amended application are noted and appreciated.

However, a considerable amount of time and effort was expended on the development of this site which included the restoration of the Grey House, to ensure that an appropriate balance be maintained between the built environment and the spatial, green landscaped setting within the site, and that the architectural integrity and the setting of the Grey House be maintained. This included very careful consideration of the spacing between buildings.

The proposed extension detracts from both the intended spatial integrity of the site and the architectural integrity and design of the Grey House. As such, if approved, it would cause considerable harm to a heritage asset.

Contrary to Core Strategy Policies CS 11, CS 12 and CS 27, Saved Local Plan Policy 120 and contrary to the recommendations of Ian Radcliffe, the Planning Inspector who dismissed an Appeal for the development of this site in 2011 (APP/A1910/A/11/2145295 - attached).

Berkhamsted Citizens Association

The Berkhamsted Citizens Association wishes to object to this application on the following grounds:

- 1 The side extension is not a suitable addition to what is an extremely elegant house in the Conservation Area.
- 2 The extension with balcony does not relate well to the house.
- 3 The balcony may cause overlooking of adjacent gardens.
- 4 The proposal is not an enhancement of the Conservation Area.

Claremont House

We would like to object to this planning application because it would:

1. Dramatically reduce the distance between our house and the Grey house
2. Spoil our view of Berkhamsted and the valley
3. Allow the balcony to overlook our garden at the cost of our privacy
4. Plant trees on our boundary which would deprive us of sunlight and cast a large shadow over our garden
5. Ruin the look of the Grey House and alter the feel of the surrounding area.

In summary we see the proposed development as unacceptable on the following

grounds derived from both previously rejected applications and conflict with Dacorum Adopted Core Strategy:

- Maintenance of the gap between Grey House & (new) Claremont House (plot 3)
- Establishment of a gap between Kennet House (plot 2) and Ashton House (plot 5) -

Both these to ensure proportionate development and to avoid overdevelopment of the site

-Removal of Permitted development rights for any future development, specifically 'to avoid overdevelopment rights for side extensions for example "

The objective was to avoid over extension of the house, particularly at the side - exactly what is now being proposed. The

Conservation and Design

The Grey House is a charming Victorian detached villa that has recently been developed along with its surrounding curtilage.

The application is for a two storey side extension with balcony.

The Planning (Listed Building & Conservation Areas) Act 1990 requires special regard to the desirability of preserving the setting of a listed building and also special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

NPPF 131: In determining planning applications local planning authorities should take account of:

- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation
- The positive contribution that heritage assets can make to sustainable communities including their economic vitality
- The desirability of new developments making a positive contribution to local character and distinctiveness

DBLP 120 Development in Conservation Areas; new development or alterations or extensions to existing buildings in the conservation area will be permitted provided they are carried out in a manner which preserves or enhances the established character or appearance of the area. Each scheme will be expected to respect established building lines, layouts and patterns, In particular infilling proposals will be carefully controlled; use materials and adopt design details which are traditional to the area and complement its character; be of a scale and proportion which is sympathetic to the scale, height and overall character of the building to be extended; and in the case of alterations and extensions be complementary and sympathetic to the established character of the building to be altered or extended.

I would comment that the building has only recently been developed and extended, and at this stage I am uncertain whether Permitted Development was removed. I do

have serious concerns regarding the overdevelopment of this site given that the Grey House is a substantial property without this further extension.

I would also draw to your attention that in 2012 (4/01044/12/FUL) the Planning Inspectorate stated that any further development would unduly urbanise the site and that the spacious garden landscape setting would be eroded to an unacceptable degree. He continued, failure to maintain the balance between the built development to the site would be harmful to the setting of the conservation area.

I concur with these comments and would therefore recommend this application for refusal.

Trees and Woodlands

I have no objection to the proposed construction of a two-storey side extension at The Grey House but would require the submission of further information regarding landscape proposals.

The extension is planned on the western side of the dwelling, towards an area of garden containing two small trees, a Birch and Holly. I believe that these trees form part of approved landscaping for application 4/00843/13/DRC. Two other trees are present on site, a Yew and a Pear. Both are protected by Area TPO 496, served in 2010.

It is proposed to remove the two smaller trees to create additional open space around the extension. The removed trees are to be replaced with three new ones along the western boundary.

The two larger TPO trees are to be retained. Tree protection measures have been proposed on the submitted 'Arboricultural Impact Plan and Tree Protection Plan' DS05011501.03 and are acceptable.

I have been unable to ascertain what species or planting size is proposed for these new trees and what planting specification. Such detail should be submitted for assessment.

The location of the new trees is shown on 'Site Layout Plan' 1951 / 02B.

Comments from Agent

From our conversation last week I understand that objections have been made by neighbours on our revised proposal but these do not appear on Dacorum's website.

My client has requested that you forward the latest objection letters so that we can respond to them. I note that the comments of Conservation Team that we fully responded to have been removed from the website and that the Conservation Team has made comments on our amended proposal, which are also absent from the website. I would be grateful if you would also forward these. I must say that I find it highly unsatisfactory that having fully responded to the Conservation Team's comments it has now seemingly made different comments.

The 2011 dismissed appeal related to a proposal for "alterations and extension to the Grey House and 6 new dwellings". Although subsequently a number of non-material

amendments were made to that proposal, the proposal that was implemented was for “alterations and extension to existing house and construction of four new dwellings” granted under planning application reference 4/01044/12/FUL. The extension to the Grey House took the form of a shortened and widened rear wing incorporating a double garage, replacing a detached garage that was previously located to the rear of the property.

As identified in the 2011 appeal decision the main issue is “whether the proposed development would preserve or enhance the character or appearance of the Conservation Area”. As you will be aware case law has established that preservation in this context means the absence of harm NOT the absence of change.

Paragraph 7 of the appeal decision states that:

“The Grey House' is a large dwelling with substantial gardens surrounding it. The gardens provide a suitable setting for the house with both complementing each other. As a consequence, the house and its gardens make a positive contribution to the character and appearance of the Conservation Area. The tall boundary wall and mature landscaping around the edge of the site screens views into the appeal site from surrounding land. Nevertheless, the largely undeveloped nature of the plot provides a green backdrop to surrounding development. Furthermore, in long distance views from the raised ground on the northern side of the town, the appeal site forms part of the contrast of spacious plots and more densely developed housing which adds to the variety of the townscape.”

Paragraph 10 states:

The scheme would involve the renovation and alteration of 'The Grey House' and the construction of 4 new buildings; a detached dwelling; a semi-detached pair of houses; and a terrace of 3. houses with a detached garage. Although the appeal site slopes uphill, with the garden to the back of 'The Grey House' on higher land than the front garden, the proposed houses to the rear would be cut into the slope. As a result, all the houses on the site would be subservient in height to 'The Grey House'. However, the terrace and the semi-detached pair of houses would be substantial buildings in terms of their width and footprint. The 30m gap separating 'The Grey House' from its western side boundary is occupied by a number of trees protected by a Tree Preservation Order which make a contribution to the open verdant character of the site. The terrace and the semi-detached pair of houses, along with the associated hard standing, would take up the majority of this open space and result in the loss of most of these trees. The resulting quantum of development would unduly urbanise the site. As a consequence, whilst there would be scope for soft landscaping and planting around the perimeter of the site to soften the impact of the new development, the spacious garden landscaped setting of the house would be eroded to an unacceptable degree.

The current proposal for a side extension to Grey House must be judged against the current circumstance of the site and not against what existed at the time of the appeal application, which was significantly different. The Inspector was clearly concerned with the quantum and scale of development that was proposed at the time, which differs from what has now been constructed. Also, he was not considering a two-storey side extension which is effectively single storey in scale as it is cut into the slope of the site. In the context of the proposal before you I firstly reiterate my early comments that:

“The proposal maintains a 5.1 m gap between the extension and the side boundary and a gap of 9.2 m between the side elevation of Claremont House and our proposed extension, which is quite significant. As demonstrated by the Site Location Plan, the site of The Grey House is larger than that of the site of No 36 on the opposite side of Kitsbury Road, which is an equally substantial property, and the gap between it and the adjacent terrace is less than is proposed between the proposed extension to The Grey House and Claremont House”. In the context of the immediate surroundings the proposal will maintain the spaciousness of the area, as a substantial gap will exist between the Grey House and its neighbour commensurate with the gaps between other properties on spacious plots in the area. When viewed from the new access road serving the recent development of four houses, the proposed extension is only single storey and is set at a lower level than the road, preserving a greater sense of openness between the Grey House and Claremont. I observe that the proposal will be largely screened by the existing boundary wall (see attached View of Grey House from access road).

I have now had the opportunity to consider the effect of the proposal on views across the valley, an issue with which the appeal Inspector concerned himself, and attach photographs of the site before and after the residential development on its former plot was constructed. From these photographs it can be seen that a single storey extension will not be or will only be barely visible in views across the valley due to screening by buildings and trees lower down the hill. The effect of the proposal on these views will be insignificant and will certainly not amount to harm to the Conservation Area as a designated heritage asset and the presence of the new housing development does not impact on this assessment. Please note that all the photographs are taken with a telephoto lens and that with the naked eye the effect of the constructed housing development and the current proposal is further reduced.

Considerations

Policy and Principle

The Grey House is located within the residential area of Berkhamsted wherein the principle of household extensions is acceptable subject to compliance with all other policies of the plan. Policy CS12 requires all development to a) provide a safe and satisfactory means of access for all users; b) provide sufficient parking and sufficient space for servicing; c) avoid visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to the surrounding properties; d) retain important trees or replace them with suitable species if their loss is justified; e) plant trees and shrubs to help assimilate development and softly screen settlement edges; f) integrate with the streetscape character; and g) respect adjoining properties in terms of: i. layout; ii. security; iii. site coverage; iv. scale; v. height; vi. bulk; vii. materials; and viii. landscaping and amenity space.

Policy CS27 of the Core Strategy states that development will positively conserve and enhance the appearance and character of the conservation areas.

Effects on appearance of building

The scheme has been amended so that the proposal now only includes a side extension without any roof terraces. The simple form of the extension appears subservient to the parent property and due to the levels, would appear as a single

storey extension to the side. No objection is raised in design terms.

Impact on the Conservation Area

Particular emphasis has been placed by neighbours and the conservation officer on the dismissed appeal from the inspectorate when considering the refusal planning permission for 5 new dwellings within the curtilage of the Grey House in 2011 however the context of this appeal decision was in relation to redevelopment of the whole curtilage of the site with 5 new dwellings. In context of this application for a side extension to the parent property, it is not considered that it would harm the character of the conservation area and would appear subservient to the parent house. Furthermore, from longer views to the site, due to the limited height and size of the proposal, the extension would not appear prominent within the site. It is considered that the side extension would not erode a 30m gap between the Grey House and the nearest property (recent building) and as such the setting of the grey house in the Conservation Area would be retained.

Impact on Trees and Landscaping

The Trees and Woodlands Officer has considered the application and has raised no objection. It is proposed to remove two smaller trees to create additional open space around the extension. The removed trees are to be replaced with three new ones along the western boundary. The tree officer has requested that the planting specifications of the proposed trees are submitted and approved by condition.

Impact on Highway Safety

The extension would not result in harm to Highway safety and no objection is raised in parking terms. The extension would not introduce additional bedrooms and as such, increase in parking spaces is not warranted.

Impact on Neighbours

The next door neighbour, has raised concern that the proposed extension would result in a loss of light, ruin their view and reduce the gap between the Grey House and their property. A space of approximately 10m is retained between the neighbours property and the proposal, as such, light would not be significantly reduced and sufficient space is retained to ensure that privacy. There are no side windows on the flank elevation of Claremonth and as such it is considered that the extension would not appear overbearing or allow overlooking. Loss of view would not be a material consideration to warrant a refusal. No objection is raised on neighbouring amenity.

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

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

Reason: To comply with the requirements of Section 91 (1) of the Town and

Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

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

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

- 3 **No development shall take place until full details of the replacement trees shall have been submitted to and approved in writing by the local planning authority. These details shall include:**

planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the Conservation Area in accordance with policy CS12 and CS27 of the Core Strategy and policy 120 of the adopted Local Plan.

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

Site Location Plan]
Existing Survey
1951/04b
1951/03b
1951/02b

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

ITEM 5.07

4/00876/15/FUL- ALTERATIONS TO EXISTING GARAGE BLOCK TO FORM NEW TWO BEDROOM DWELLING

2 HAWKINS WAY, BOVINGDON, HEMEL HEMPSTEAD, HP3 0UB



ITEM 5.07

4/00876/15/FUL- ALTERATIONS TO EXISTING GARAGE BLOCK TO FORM NEW TWO BEDROOM DWELLING

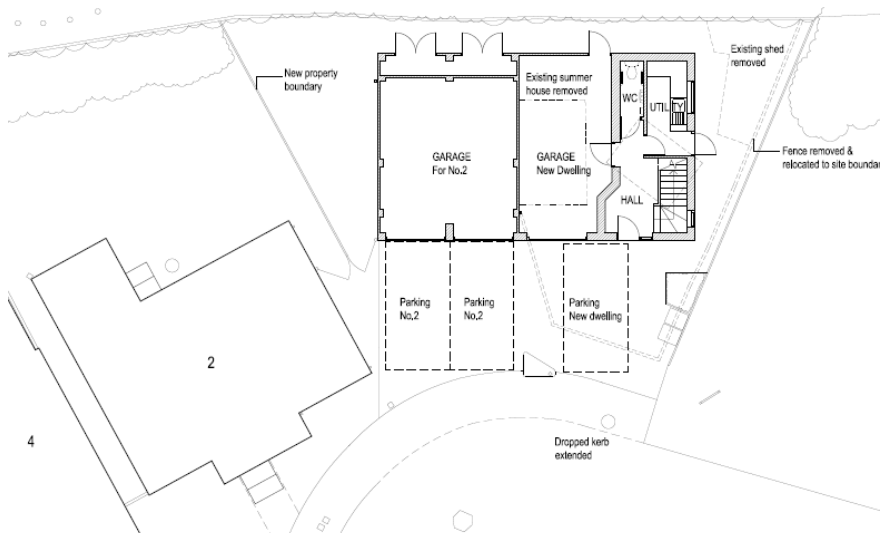
2 HAWKINS WAY, BOVINGDON, HEMEL HEMPSTEAD, HP3 0UB



STREET ELEVATION 1:200

PROJECT

2 HAWKINS WAY, BOVINGDON, HP3 0UB



4/00876/15/FUL - ALTERATIONS TO EXISTING GARAGE BLOCK TO FORM NEW TWO BEDROOM DWELLING.

2 HAWKINS WAY, BOVINGDON, HEMEL HEMPSTEAD, HP3 0UB.

APPLICANT: Mr & Mrs Brain.

[Case Officer - Joan Reid]

Summary

The application is recommended for refusal. The proposed new dwelling and garages would fail to satisfactorily assimilate with the character of the streetscene and would appear cramped on the site. The provision of car parking to the frontage would also appear prominent and poorly configured. Finally, the private amenity space is considered insufficient for a new dwelling. Overall, it is considered that the scheme fails to achieve the objectives of policy CS12 of the adopted Core Strategy and appendix 3 of the adopted local plan.

Site Description

The application site forms the garden on number 2 Hawkins Way, which is located at the entrance of the residential estate. The site backs onto the grounds of Bovingdon Prison and a right of way runs alongside the property. No.2 is a two storey detached dwelling which has a detached garage to the side and there are a number of ancillary outbuildings. Car parking for number 2 is provided within the double garage and forecourt. The site beyond the garage is well screened by mature hedging.

Proposal

The application seeks permission for the erection of a two storey dwelling to be sited over the existing garage. The ground floor is to provide a triple garage and access to the first floor. Two bedrooms and an open plan living/dining area and kitchen would be provided on the first floor. Three parking spaces are also provided to the front of the garages. The applicant requires the acquisition of land from the prison to have sufficient space to construct the proposals.

Referral to Committee

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

Planning History

4/01580/05/OUT DWELLING
Refused
05/09/2005

4/00365/05/OUT DETACHED TWO BEDROOM DWELLING
Refused
18/04/2005

Policies

National Policy Guidance

National Planning Policy Framework (NPPF)
Circular 11/95

Adopted Core Strategy

CS1 - Distribution of 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
CS17 - New Housing
CS29 - Sustainable Design and Construction
CS35 - Infrastructure and Developer Contributions

Saved Policies of the Dacorum Borough Local Plan

Policies 58, 99
Appendices 3,5 and 7.

Summary of Representations

Bovingdon Parish Council

Support

Surrounding Neighbours

2 Field Way

As quoted previously, although the plans have been changed marginally, the same objections apply: The new development of a two bedroom property would still overlook our property, affecting privacy. Access to the new property is a concern. The proposed development will be situated on a busy bend in the road which will be dangerous for through traffic. The plan shows provision for parking for six cars. At present there is room for four but that includes the two garage spaces. The increase in parking proposals to six will obviously cause problems with two properties having access from and onto the bend.

8 Hawkins Way

I am writing to object to the above application. This has been requested twice already and I cannot see that anything has changed as this corner is still very narrow and dangerous. There are always cars parked opposite 2 Hawkins Way anyway and it is a blind corner. Originally there should have been parking bays where number 32 is before the builders squeezed that house and a few others other in on the site. As it is there is nowhere for residents and visitors to parking meaning the road and pavement in both Hawkins Way and Hadland Close are congested.

10 Hawkins Way

A similar application has been declined twice in the past because of the dangerous situation of the road. It is very narrow and a hazardous bend in the road which is already hampered by parked cars which have increased over the past few years. This is the only entrance/exit to our estate and nothing has changed if anything it has got worse. I have already had quite a few near misses on that corner. It is mostly families that live on the estate and a lot of children tend to play in the road. I noticed the sign on the lamp post and am a bit concerned as to why residents did not receive letters about this as it would affect everyone. My comments are private and confidential.

17 Hadland Close

Firstly, I would like to know why we did not receive a letter about the proposed building of another house at No.2 Way as this will affect everyone on the estate? When this estate was built there was originally only going to be 26 houses here then the builders managed to squeeze a few more in so there are now 32 houses. The roads are very narrow with sharp bends and with every house having more than two cars, parking on the roads and pavements has increased over the past few years. The proposed house is at the very entrance to the estate where the road is very narrow and on a sharp bend which is already very dangerous with cars always parked in the road opposite number 2 Hawkins Way. Therefore, I am strongly opposed to this proposal.

4 Hadland Close

The proposed development will further increase the risks to pedestrians inc many children as it is on a busy, congested and narrow bend that forms the only entrance and exit to the estate. The original development was supposed to be for 26 dwellings, but ended up being for 32 by significantly reducing parking spaces. Since then an additional dwelling has been built in Hadland close together with a business premise that causes a lot of additional traffic. The majority of garages have been converted, thus parking is at a premium leading to the very narrow roads being full of parked cars and vans. widening the drop kerb outside 2 Hawkins way will result in the existing hazards being made worse. I am aware that planning applications have been made on the same site in the past and I believe the concerns raised at the time are still valid.

Contamination Officer

I refer to the above planning application received on 10 March 2015.

There is the possibility that fuel/chemicals have been stored within the garage building itself, which could provide a source of contamination. The site is also located within the vicinity of other potentially contaminative land uses (former research lab, airfield and garage). Consequently there may be land contamination issues associated with this site. The proposed represents a more sensitive end use as such I recommend that the contamination condition be applied to this development should permission be granted. For advice on how to comply with this condition, the applicant should be directed to the Council's website

Hertfordshire Highways

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

following conditions:

Conditions

1. The development shall not begin until details of the disposal of surface water from the drive and parking area have been submitted to and approved in writing by the Local Planning Authority in conjunction with the Highway Authority. The dwelling shall not be occupied until the works for the disposal of surface water have been constructed in accordance with the approved details. Reason: to minimise danger, obstruction and inconvenience to highway users. 2. No wall, fence, hedge or other means of enclosure to be provided along the car parking frontage shall exceed a height of 600mm above the level of the centre line of the access for a distance of 43m on both sides of the access. (reference Road in Herts Table 4.2.3.1). Reason: to provide adequate intervisibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access. 3. Prior to the commencement of the site works details of on-site parking for all contractors, sub-contractors, visitors and delivery vehicles shall be approved in writing by the Local Planning Authority in conjunction with the Highway Authority and that area shall be maintained available for use at all times during the period of site works. Reason: to minimise danger, obstruction and inconvenience to users of the highway. 4. All materials and equipment to be used during the construction shall be stored within the curtilage of the site unless otherwise agreed in writing by the Highway Authority prior to commencement of the development. Reason: in the interest of highway safety and the free and safe flow of traffic. 5. The proposed parking spaces shall measure a minimum 2.4m x 4.8m each and shall be maintained for this use as an ancillary to the development. Reason: Such that adequate parking provision is made to meet the needs of the development both now and in the future.

Informative I should be grateful if you would arrange for the following note to the applicant to be appended to any consent issued by your council:-

The Highway Authority requires the alterations to or the construction of the vehicle crossover to be undertaken such that the works are carried out to their specification and by a contractor who is authorised to work in the public highway. The applicant may need to apply to Highways (Telephone 0300 1234047) to arrange this or use link:

<https://www.hertsdirect.org/droppedkerbs/>

Road deposits. Best practical means shall be taken at all times to ensure that all vehicles leaving the development site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Reason. To minimise the impact of construction vehicles and to improve the amenity of the local area.

Note:- should there be any obstructions on the public highway, footpath, grass verge, i.e. trees, posted signs, TG pole, lamp columns, drainage gully's etc, then permission for removal and/or repositioning will need to be gained before work can commence on site. The applicant will need to be aware that they will/may be required to fund this work. All to the satisfaction of the Local Authority.

Comments

The proposal is to construct 1 dwelling at existing garage black of 2 Hawkins Way, Hemel Hempstead HP3 0UB. Hawkins Way is an unclassified road with speed limit of 30mph.

The applicant states the development will involve a new or alteration of an existing access to the highway. The applicant states that there are 4 existing parking spaces on-site parking, from the submitted drawing shows that there is additional 2 parking spaces on-site parking for the proposed site

The Highway Authority does not consider the additional dwelling will materially

increase traffic movements on the neighbouring roads therefore the development is unlikely to result in a significant impact on the safety and operation of the adjacent highway. It is considered acceptable to the Highways Authority.

Thames Water

Waste Comments

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

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

Water Comments

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

Considerations

Policy and Principle

The application site is located within the residential area of Bovington wherein the principle of providing new dwellings is considered acceptable subject to compliance with all other policies of the adopted plans. In particular policy CS11 of the adopted Core Strategy (Quality of Neighbourhood Design) states that within settlements and neighbourhoods, development should: a) respect the typical density intended in an area and enhance spaces between buildings and general character; b) preserve attractive streetscapes and enhance any positive linkages between character areas; c) co-ordinate streetscape design between character areas; d) protect or enhance any positive linkages between character areas; e) incorporate natural surveillance to deter crime and the fear of crime; and f) avoid large areas dominated by car parking.

Secondly, policy CS12 (Quality of Site Design) states that on each site development should:

a) provide a safe and satisfactory means of access for all users; b) provide sufficient parking and sufficient space for servicing; c) avoid visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to the surrounding properties; d) retain important trees or replace them with suitable species if their loss is justified; e) plant trees and shrubs to help assimilate development and softly screen settlement edges; f) integrate with the streetscene character; and g) respect adjoining neighbours in terms of: i) layout; ii) security; iii) site coverage; iv) scale; v) height; vi) bulk; vii) materials; and viii) landscaping and amenity space.

The proposed new dwelling and garages is considered to seriously detract from the

character of the area and the planned layout of the streetscene. It is considered that it would appear out of context with the properties along Hawkins Drive and appear awkward and cramped on the site. The new dwelling would be a detached property which in practice adheres to the general immediate character of the area however due to its siting, height and form would appear overly prominent on the corner plot as one approaches Hawkins Drive and the new development would appear out of context with its surroundings. The site is located on the corner as one approaches Hawkins Way and the development, despite being set behind the parent house, would be visible within the streetscene and appear as an incongruous additional within the area. Overall, it is considered that the dwelling proposal together with the garages could not be supported.

Impact on Trees and Landscaping

The scheme proposes to develop within the existing garden of 2 Hawkins Way and as such no important trees would be felled. No objection is raised in terms of loss of important trees.

Impact on Highway Safety

Hertfordshire Highways have raised no objection to the scheme subject to the imposition of conditions. Neighbours are concerned that the introduction of the new dwelling on the corner would result in harm to highway safety however this assumption has not been reiterated by Hertfordshire Highways. In terms of parking, the scheme proposes to retain 4 car parking spaces for number 2 (as existing) and two further spaces for the new dwelling one within the garage and a second to the front of the garage. In quantity number objection is raised to the number of spaces however the arrangement of the car parking to the front of the new dwelling is considered to detract from the visual amenity of the entrance of the estate and result in a development which appears cramped and dominated by car parking provision.

Impact on Neighbours

There would not be any direct impact to neighbouring properties as a result of the scheme. The scheme would not result in harm in terms of loss of privacy, light or visual intrusion to number 2 itself or indeed any other property due to its location at the edge of the estate. The new dwelling is however located in close proximity to the Mount Prison, however from a Planning perspective no objection is raised on this basis. There is an existing high hedge separating the application property and the Prison and as such, it is considered that this gives ample screening to the prison.

Private amenity space

The scheme fails to achieve sufficient private amenity space in accordance with the minimum requirements of appendix 3 of the local plan. Appendix 3 states that a minimum garden length of 11.5m should be required for new dwellings and the scheme would allow for very little private space. It is noted that the dwelling is intended for the current occupiers of number 2 and they do not feel that they require a garden however, when granting consent for dwellings, it is difficult to assume that the current requirements of the occupiers will remain for the future of the building. As such, objection is raised that insufficient private amenity space is provided.

Other Material Planning Considerations

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. This application is CIL Liable.

The Charging Schedule clarifies that the site is in Zone 2 within which a charge of £150 per square metre is applicable to this development. The CIL is calculated on the basis of the net increase in internal floor area. CIL relief is available for affordable housing, charities and Self Builders and may be claimed using the appropriate forms.

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

- 1 **Policy CS12 of the adopted Core Strategy requires development to respect adjoining properties in terms of: i. layout; ii. scale; iii. height; iv. bulk and v). materials. The proposed two storey development comprises residential accomodation on the first floor and garages on the ground floor would not be appropriate in terms of design, scale, height, siting and form would appear cramped and out of keeping within the streetscene. The development would also be both prominent and incongruous due to its unsympathetic design coupled with the prominent location which is clearly visible in the streetscene.**

The proposals therefore fail to comply with criteria (g) of Plan Policy CS12 of the adopted Core Strategy and appendix 7 of the local plan.

- 2 **The proposed private amenity provision is insufficient in terms of its size to provide an adequate private amenity for the dwelling. This proposal therefore fails to comply with Appendix 3 of the saved local plan which requires adequate and functional private amenity space.**

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ITEM 5.08

4/01905/15/FUL- 3-BED DETACHED DWELLING

19 CLAVERTON CLOSE, BOVINGDON, HEMEL HEMPSTEAD, HP3 0QP



**4/01905/15/FUL - 3-BED DETACHED DWELLING.
19 CLAVERTON CLOSE, BOVINGDON, HEMEL HEMPSTEAD, HP3 0QP.
APPLICANT: Mr M Kelly.**

[Case Officer - Patrick Doyle]

Summary

The application is recommended for approval. Whilst Bovingdon have raised objections to the scheme on grounds of plot size and vehicular access, no objections have been raised by neighbours or any other consultees including highways who find the access arrangements acceptable. The modest infill development is acceptable in principle and the is considered to have an acceptable impact upon neighbouring amenity and integrate with the street scene.

Site Description

19 Claverton Close is an unusually large plot in residential area of Bovingdon. The proposed dwelling is proposed on garden land situated to the side of the existing dwelling.

Proposal

The proposal is for the construction of a two storey 3 bed detached dwelling adjacent to 19 Claverton Close.

The roof form is a dual pitched and gable ended to the sides.

The proposed materials are brick and roof tiles.

Referral to Committee

The application is referred to the Development Control Committee due to the contrary views of Bovingdon Parish Council who raise concerns over the size of the plot for the development and access.

Planning History

None

Policies

National Policy Guidance

National Planning Policy Framework (NPPF)
National Planning Policy Guidance

Core Strategy

Policies NP1, CS1, CS4, CS11, CS12, CS17, CS18, CS27, CS29, CS31 and CS35

Dacorum Borough Local Plan (saved policies)

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

Supplementary Planning Guidance / Documents

Area Based Policies - Development in Residential Areas
Environmental Guidelines (May 2004)
Water Conservation & Sustainable Drainage (June 2005)
Energy Efficiency & Conservation (June 2006)
Planning Obligations (April 2011)

Summary of Representations

Bovingdon Parish Council

Plot not large enough for detached dwelling. Insufficient access as beech hedge exists (not shown on plans), which narrows the access

Trees & Woodlands

Three TPOs on site were previously removed in 1972.
Preference for retention of mature hedge to front of site.
No other trees of significance on site.

Thames Water

Waste Comments

There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the options available at this site.

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Water Comments

With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The

Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

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.

1) Best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not emit dust or deposit mud, slurry or other debris on the highway.

Reason: To minimise the impact of construction vehicles whilst the development takes place

2) All areas for storage and delivery of materials associated with the construction of this development shall be provided within the site on land, which is not public highway, and the use of such areas must not interfere with the use of the public highway.

Reason: In the interest of highway safety and free and safe flow of traffic.

Note

The planning application is for a detached dwelling to the rear 19 Claverton Close with two car parking spaces. The road Claverton Close is a residential Cul-de-sac. The existing site vehicular access is served by a gravel driveway. There are two garages attached to the property, but the cars are parked on the gravel driveway in front the house door. From the site visit it is clear that cars can gain access to proposed residential development at the rear of 19 Claverton Road. There is sufficient space between parked cars and the tall hedge.

No alterations to highway/pedestrian access and parking provision are proposed. The proposed development will be accessed via a gravel private drive will also serve the existing property. Highway Authority has no authority over the private drive. However in the interest of other residents the applicant should take measures to ensure construction vehicle parking should not interfere with free and safe flow of traffic. The applicant should ensure all storage of materials associated with the development should take place within the site.

Hertfordshire County Council as the Highway Authority considers that development proposal will not have any material impact on the highway network

Response to Neighbour Notification / Site Notice / Newspaper Advertisement

No comments received from any neighbours

Considerations

Core Strategy policy CS4 encourages appropriate residential development in Towns and Large Villages. The principle of a new dwelling in this location is acceptable and should be considered primarily against Core Strategy policies CS11: Quality of Neighbourhood Design, CS12: Quality of Site Design and saved DBLP appendix 3 - Residential layout

Effect on appearance of building

The design although not identical to the donor dwelling is still overtly suburban and residential in character and has an acceptable appearance following the local vernacular in its design and pallet of materials, whilst still offering some variation in visual terms without undue, scale, massing, bulk or height and avoiding poor design.

The window design is acceptable.

There will be sufficient space around the dwelling to avoid a cramped appearance.

Permitted development rights have the potential to cause a harmful appearance to the dwelling adding undue overdevelopment, bulk and scale to the roof and rear of the property and reducing the small amenity area yet further. Classes A, B & E will be removed from the proposed dwelling in order to retain control over the appearance of the property so as the property will accord with the aims of CS12 and saved DBLP appendix 7.

Overall the appearance of the property will be concordant with saved DBLP appendix 7 and policy CS12.

Effect on Street Scene

The proposals will add to the bulk and amount of development in the street scene. Nonetheless the new dwelling has sufficient space either side of it to avoid undue collective massing, terracing effect or a cramped appearance. There is enough spacing between the dwellings visually from the front and variation in the relationship to avoid an overly awkward relationship, respecting the character of the street scene sufficiently. The proposals are coherent in design which will not dominate the street scene and co-ordinate well with the original design and context of the property and prevailing character of the street.

The design would not be unduly uncharacteristic for this area, offering a little variation which will not present an unacceptable contrast.

The garden will provide sufficient amenity space and a garden area commensurate with the character of the area, as there are garden depths of similar proportions in Claverton Close and surrounding residential streets.

Permitted development rights have the potential to cause a harmful appearance and uncharacteristic development detrimental to the character of the area adding undue bulk and scale to the roof, side and rear of the property and reducing the small amenity space yet further. Classes A, B & E will be removed from the proposed dwelling in order to retain control over the appearance of the property so as the property will accord with the aims of CS11 , CS12 and saved DBLP appendix 7.

It is considered the proposal would preserve attractive streetscapes in accordance with CS11 and integrate with the streetscape character in accordance with CS12.

Effect on Amenity of Neighbours

The siting, design and layout will not detrimentally affect the amenity of the neighbours.

Suitable living conditions will remain for the occupants of 19 Claverton Road with suitable on-site parking provision retained, amenity space and front and rear window treatments.

An initial Building research establishment *Site Layout Planning for Daylight and*

Sunlight - A guide to good practice (1995) assessment indicates there is unlikely to be a loss of light or daylight to a sufficient level to be so harmful as to warrant refusal. There is sufficient space between the windows of neighbouring properties and the proposed dwelling so as not to unacceptably alter outlook, be overbearing or harm light received in accordance with building research guidelines.

The proposals respect the 45 degree principle and are not considered to have an overbearing effect on neighbouring dwellings.

Additional rearward views from the property are held to be non-harmful and stereotypical of a suburban setting.

The front of the dwelling has been carefully designed so the bathroom window faces to the front at first floor level this avoids undue overlooking of neighbouring properties and the other window whilst serving a bedroom window is at oblique angle to other properties avoiding direct intervisibility with nearby neighbouring windows. In addition the retention of large hedge will limit and obscure downward views into neighbouring gardens. A condition will be imposed for the retention of the hedge at a height of 2.5m tall to preserve the acceptable relationship.

The proposal is considered of a siting, design and scale that it would not unduly harm the amenity of neighbouring property in accordance Core Strategy policy CS12 and saved appendices 3 & 7

Permitted development rights have the potential to cause a harmful development detrimental to neighbouring amenity by allowing additional windows in the first floor front elevation that are not obscure glazed and would cause harm to the privacy of no.20. A condition preventing this scenario will be attached to this permission so as the property will accord with the aims of CS12 and saved DBLP appendix 3 & 7.

Parking & Access

The proposal proposes 2 parking spaces retained for 19 Claverton Road and 2 parking spaces for the proposed 3 bedroom dwelling. In this instance 2 parking spaces each are considered adequate for the existing 3 bedroom house and the proposed 3 bedroom dwelling. The site is located in a sustainable village location, accessible to local facilities, job opportunities and public transport. Whilst objections have been noted about access the creation of an additional dwelling has not proven objectionable to the county highways team and there would be an acceptable impact from the development. The policy therefore accords with CS8, CS12, saved DBLP policy 58 and appendix 5.

CIL

The application does not trigger any affordable housing contributions and the pooling of collections by s106 agreements is not considered appropriate in this scenario. The application is CIL liable if it were to be approved and implemented. 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. This application is CIL Liable.

The Charging Schedule clarifies that the site is in Zone 2 within which a charge of £150 per square metre is applicable to this development. The CIL is calculated on the basis of the net increase in internal floor area. CIL relief is available for affordable housing, charities and Self Builders and may be claimed using the appropriate forms.

Other Considerations

The submitted documents and Trees department view affirms no trees or landscape of significant value would be lost by virtue of this proposal and the proposal would accord with saved DBLP policy 99 and CS12. The prominent perimeter hedge is to be retained.

Sufficient amenity space would remain post development in accordance with saved DBLP Appendices 3 & 7.

The bins for the proposed development will be contained on site to the rear of the dwelling as proposed by the amended design and access statement.

No profound drainage issues identified by Thames or Affinity Water.

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:**

PLANNING STATEMENT
CC PA 01 B
CC PA 02 B
CC PA 03 A

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

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

Reason: To ensure a satisfactory appearance to the development and street scene in accordance with policies CS11 and CS12.

- 4 **The hedge on the north and east boundary of the site shall remain permanently in situ at a height of no less than 2.5m. Should the hedge die or fail it shall be replaced at the earliest opportunity in the next available planting season (November to March)**

Reason: In the interest of neighbouring amenity and character of the streetscene in accordance with CS11 and CS12.

- 5 **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending or re-enacting that Order with or without modification) no windows, dormer windows or other openings at first floor level or above other than those expressly authorised by this permission shall be constructed without the prior written approval of the local planning authority.**

Reason: In the interests of the residential amenities of the occupants of the adjacent dwellings in accordance with Core Strategy Policy CS12.

- 6 **Details for the consideration of sustainable design and construction with reference to Core Strategy policy CS29 shall be submitted and agreed in writing with Local authority prior to commencement of the development hereby approved. The hardstanding areas for the car parking areas shall be constructed to form a permeable surface.**

Reason: To ensure a sustainable form of development and to accord with policies CS12 & CS29 of the adopted Core Strategy.

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

Schedule 2 Part 1 Classes A, B, & E.

For the avoidance of doubt this applies to 19 Claverton Road and the proposed dwelling hereby approved.

Reason: To enable the local planning authority to retain control over the development in the interests of safeguarding the residential and visual amenity of the future occupants and the locality in accordance with Core Strategy CS11, CS12 saved DBLP appendices 3 & 7.

Article 31 Statement

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

(Amendment No. 2) Order 2012.

Informatives:

Thames Water

Waste Comments

There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the options available at this site.

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Water Comments

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

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.

1) Best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not emit dust or deposit mud, slurry or other debris on the highway.

Reason: To minimise the impact of construction vehicles whilst the development takes place

2) All areas for storage and delivery of materials associated with the construction of this development shall be provided within the site on land, which is not public highway, and the use of such areas must not interfere with the use of the public highway.

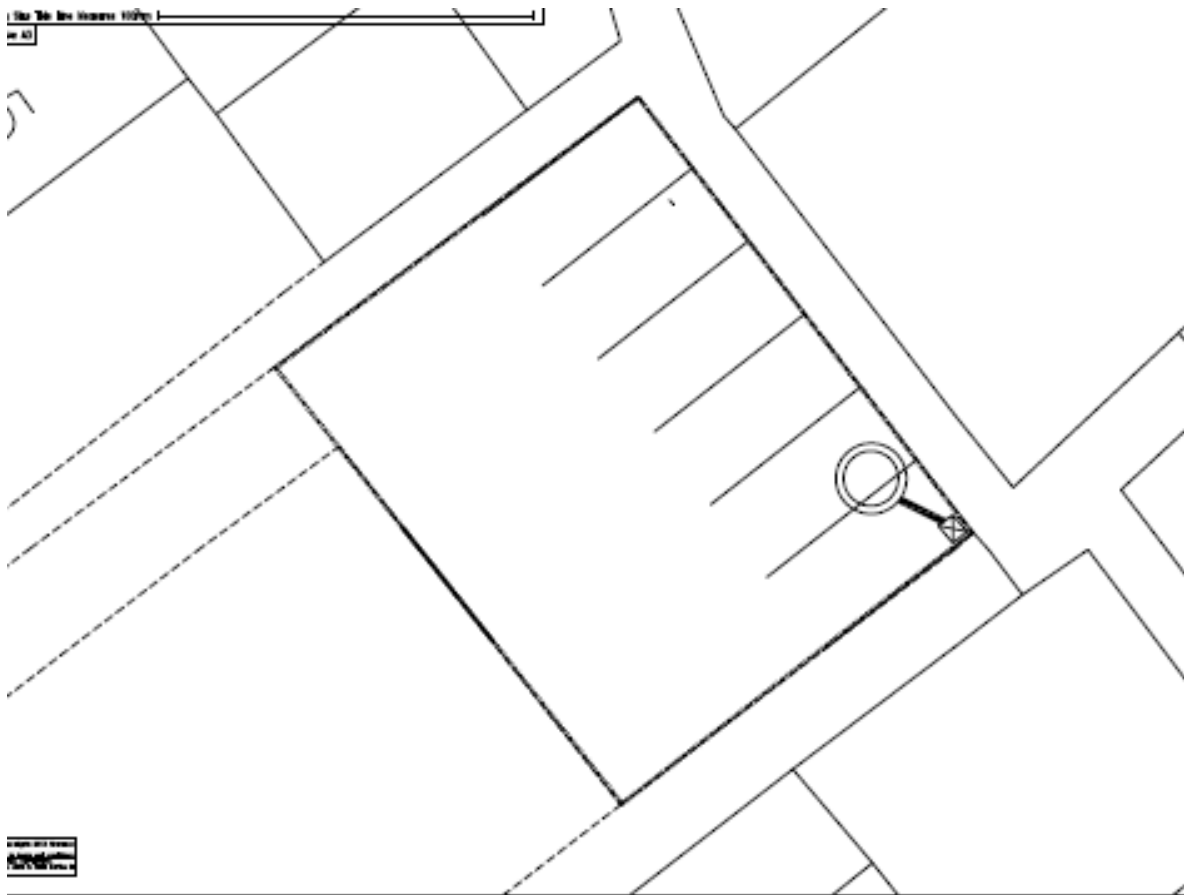
Reason: In the interest of highway safety and free and safe flow of traffic.

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ITEM 5.09

4/01814/15/FUL- TO INSTALL 6 PARKING BAYS ON GRASS AREA OUTSIDE 16/17/18

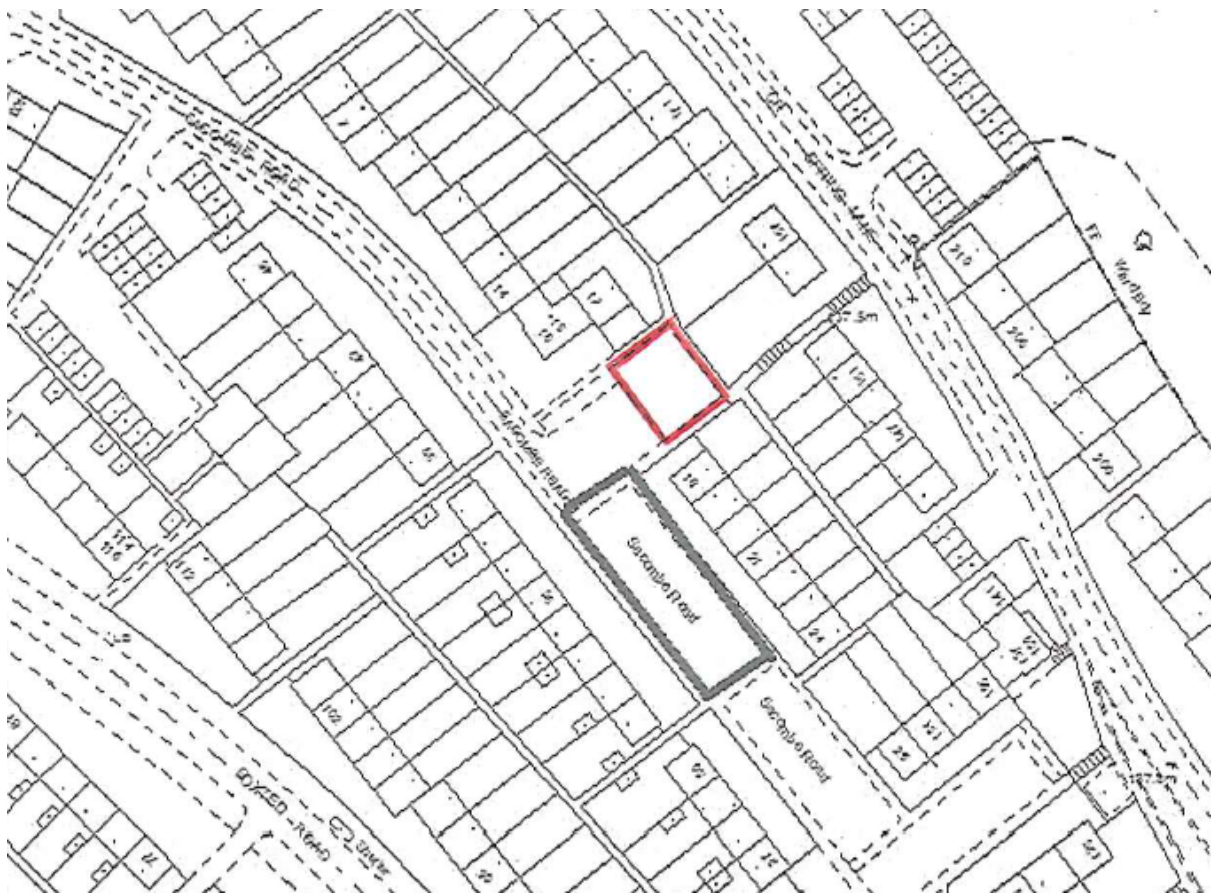
SACOMBE ROAD GRASSED AREA OUTSIDE 16/17/18 SACOMBE ROAD, HEMEL HEMPSTEAD, HP1



ITEM 5.09

4/01814/15/FUL- TO INSTALL 6 PARKING BAYS ON GRASS AREA OUTSIDE 16/17/18

SACOMBE ROAD GRASSED AREA OUTSIDE 16/17/18 SACOMBE ROAD, HEMEL HEMPSTEAD, HP1



**4/01814/15/FUL - TO INSTALL 6 PARKING BAYS ON GRASS AREA OUTSIDE 16/17/18 SACOMBE ROAD.
GRASSED AREA OUTSIDE 16/17/18 SACOMBE ROAD, HEMEL HEMPSTEAD, HP1.
APPLICANT: Resident Services (Dacorum Borough Council).**

[Case Officer - Patrick Doyle]

Summary

The application is recommended for approval.

Site Description

The application site comprises an area of green space at the end of Sacombe Road.

The head of Sacombe Road is framed by two amenity greens. The first, which is subject to this application, is a small rectangular space. There is one medium-sized tree located towards the side of this green space. The second amenity green is to the south of the head of the road and is a more prominent and larger green space.

The surrounding area is characterised by runs of terraced housing with little or no provision (or possibility) of providing on-site parking.

Proposal

It is proposed to construct 6 new parking bays and turning area on the green open space. The new parking bays would be placed inside the public footpaths that frame this amenity green, and they would be laid in tarmacadam.

Referral to Committee

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

Planning History

None.

Policies

National Policy Guidance

NPPF
NPPG

Dacorum Core Strategy (September 2013)

CS1, CS4, CS8, CS10, CS11, CS12, CS26, CS29 and CS31

Dacorum Borough Local Plan Saved Policies

Policies 13, 57, 59 and 116
Appendices 1 and 5

Supplementary Planning Guidance

Environmental Guidelines

Residential Character Area HCA 6: Gadebridge

Water Conservation & Sustainable Drainage

Accessibility Zones for the Application of Parking Standards

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.

Site

Sacombe Road is a residential area that already suffers with high levels of on street parking. There is an informal parking area existing in front on 16,17 and 18 Sacombe Road adjacent to the proposed site

During the site visit it was noted that there were 13 cars parked within this area and due to poor parking some residents would find it difficult to manoeuvre their car to leave the site. Three cars were observed fully parking on footpaths therefore causing conflict of use and safety to pedestrian's users.

The Highway Authority does not wish to restrict the grant of consent. However, the applicant (DBC) may wish to consider, as part of this scheme to create off street parking, the inclusion where appropriate, parking restrictions on footways and bends to prevent anti-social parking that occurs. The applicant may also need to consider parking bay markings and turning area to encourage organised parking and able to enter and leave the site with ease.

Trees & Woodlands

The proposal results in the loss of a small area of grass, a shrub bed and a mature lime tree. The tree is too close to the adjacent properties and is likely to be removed in the near future because of the nuisance that it is causing to the adjoining properties. The tree is also a risk of subsidence damage to these properties. I will have no objection to the proposal but to compensate for the loss of the tree, grass and shrubs, I request that the applicant pay for the removal of the lime tree and plant 3 container grown trees of 18-20 cm circumference on the green in front of number 18-24. The type and species of the trees to be negotiated later but trees to be planted within the next planting season after planning permission has been granted

Response to Neighbour Notification / Site Notice / Newspaper Advertisement

None

Considerations

Policy and Principle

The proposed development would take place in an urban area of Hemel Hempstead and would therefore be acceptable in principle in accordance with Policy CS4 of the Dacorum Core Strategy (September 2013).

Core Strategy Policy CS10 (f) emphasising the need to preserve and enhance green gateways, Policy CS11 (f) stating that new development should avoid large areas dominated by car parking, and Policy CS12 seeking to ensure that all development is in keeping with the area and stating the importance of planting of trees and shrubs to help assimilate development.

Policy 116 of the DBLP seeks the protection of open land in Towns from inappropriate development. In particular the location, scale and use of the new development must be well related to the character of existing development, its use and its open land setting, while the integrity and future of the wider area of open land in which the new development is set must not be compromised. Appendix 5 of the DBLP states that, *"Achievement of parking provision at the expense of the environment and good design will not be acceptable. Large unbroken expanses of parking..are undesirable. All parking must be adequately screened and landscaped"*.

However whilst CS10 and CS12 appear to discourage this form of development it must be balanced against CS8 which requires improvement to highway safety and safe and convenient parking.

Impact on Street Scene

The creation of 6 new parking spaces on an amenity green would result in a change to the appearance of the area. In particular the use of tarmac would create a slightly harsher feel to the locality.

However, cars already park in the area of the application site within the turning area to the front of the site, which diminish the visual amenity of the area.

It is considered there are larger, more prominent green spaces in the area (such as the amenity green to the south of the site). In particular the amenity green at the head of the road is far more prominent than the amenity green subject to this application.

Therefore, on balance, it is considered that the proposed application represents the most appropriate way of achieving the parking spaces that are in very short supply in this locality. In addition it is considered that the provision of these spaces would not unduly harm the character and appearance of the area and as such the proposals comply with Dacorum Core Strategy Policies CS10, CS11 and CS12, as well as saved Policy 116 of the DBLP.

Impact on Trees and Landscaping

There is a tree on site which is causing nuisance to footpath and nearby houses by virtue of its size and inappropriate location, it is proposed to replace the tree in a more

appropriate nearby location

Whilst the loss of amenity space is regrettable, the benefit of additional parking spaces which will improve highway safety is a considerable mitigating factor which should weigh favourably of the application. In addition the small scale loss of amenity is not so acute given other nearby amenity greens in the immediate locality.

Impact on Neighbours

The proposals would expand an existing parking area, it is not considered that any harm caused to neighbouring residential amenities would be so significant to warrant refusing this application.

Highway Safety

It is considered that these proposals would improve highway safety in the street. At the moment cars are parked straddling the pavement, thereby reducing the width of both the road and the pavement. The proposed scheme would help reduce such nuisance parking and as such will help the free and safe flow of traffic.

Sustainability

It is proposed to finish the parking bays in tarmac, an impermeable material. A previous application (at Bathurst Road) used grasscrete to create a permeable surface, however, this has created significant grounds maintenance problems for the Council, while its appearance has suffered as a result of the constant use of the parking spaces. Therefore, the use of tarmac as an alternative is proposed at this site.

In order to avoid surface water run-off onto the Highway (or indeed down into adjacent properties) it is proposed to use the natural ground levels to create a drain linked to an underground soakaway. This would ensure that water is allowed to drain away naturally on site. These details are shown on the submitted drawings.

Conclusions

The proposed parking spaces would provide much needed local parking, but would be achieved in a way that does not compromise the visual amenity of the area.

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:

DBC/014/011

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

- 3 **3 container grown trees of 18-20 cm circumference shall be planted before the end of the first planting season following the felling of the existing Lime tree within a 0.5 km radius of the application site.**

Reason: In the interests of visual amenity and sustainable development in accordance with Core Strategy CS11, CS12 and CS29.

Article 31 Statement

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

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6. Appeals

A. LODGED

None

B. WITHDRAWN

None

C. FORTHCOMING INQUIRIES

None

D. FORTHCOMING HEARINGS

4/00365/15/FUL BRAYBEECH HOMES LTD - MR S BOOTH
CONSTRUCTION OF TWO SEMI-DETACHED HOUSES
LAND TO THE REAR OF 17 STATION ROAD, TRING, HP235NG
[View online application](#)

E. DISMISSED

4/01879/14/LBC MR & MRS BROWNE
CONSTRUCTION OF FRONT PORCH
STUART HOUSE, FERRERS HILL FARM, PIPERS LANE,
MARKYATE, ST. ALBANS, AL3 8QG
[View online application](#)

The appeal was dismissed. The Inspector considered that the proposed porch would have unacceptable impact to the listed building due to the arched canopy and supports detracting from the balance and proportions of the front of the building.

4/03547/14/RET Mr Millar
RETENTION OF SINGLE STOREY FRONT EXTENSION
22 COOMBE GARDENS, BERKHAMSTED, HP4 3PA
[View online application](#)

Decision

1. The appeal is dismissed.

Preliminary Matter

2. The works which are the subject of the appeal have already been undertaken and I had the benefit of seeing them at my site visit.

Main Issue

3. The main issue in this appeal is the effect of the extension on the character of the area.

Reasons

4. The appeal relates to this 2 storey semi-detached house set within a road of very similar properties. All of the original pairs of houses have roofs with a ridge running parallel with the frontage, with side gables. I noted that a number of houses in Coombe Gardens have been the subject of alterations, some to the front and involving porches.

5. Policy CS12 of the Council's Core Strategy requires that development should, amongst other things, avoid visual intrusion, should integrate with the streetscape character and respect adjoining properties in terms of layout, scale and bulk.
6. The porch projects from the front elevation of the house by around 3m and its width is said to be 2.5m. At this point, this is about half the distance of the main elevation from the road. The porch has a pitched roof with the ridge running front to back, presenting a gable to the road.
7. Due to the size and design of the original house, I consider that the porch represents an obvious addition to it. Its projection from the face of the building is significant when compared to the distance that the house is set from the front boundary of the plot. The porch appears to be a poorly conceived after-thought which has little regard to the existing house or the space to its front. Its proximity to the road means that it is highly prominent in the street-scene and its negative effects are heightened.
8. The appellant sets out the need for the extension and refers to local support for it. Whilst I have noted these points, the local support does not outweigh my concerns in relation to the unacceptable effects of the extension. Whilst I recognise the appellant's stated need for the extension, it is likely that the extension would remain long after the appellant's need has ceased to be relevant; in this case his personal circumstance do not outweigh the more general planning considerations.
9. I have closely examined other relevant extensions in Coombe Gardens. I find that most are far less intrusive than the appeal scheme; mainly as a result of their considerably lesser depth and also due to most of them having roof pitches which align with that on the main part of the house. In this respect, I do not find that any of the nearby extensions compel me to look favourably on the appeal scheme.
10. As a consequence of my consideration of these matters, I find that the extension is visually intrusive, it fails to integrate with the streetscape character and does not respect adjoining properties in terms of layout, scale and bulk. Therefore, the extension is contrary to the aims of Policy CS12 of the Core Strategy and I find that there are no other matters which are sufficient to outweigh this harm.
11. Taking account of all other matters raised, I conclude that the extension is unacceptable for the reasons set out above. Therefore, the appeal is dismissed.

F. ALLOWED

None