

**4/03169/16/FUL - CONVERSION OF GARAGE AND FIRST FLOOR EXTENSION TO  
CREATE A NEW TWO BEDROOM DWELLING.  
26 HAMILTON MEAD, BOVINGDON, HEMEL HEMPSTEAD, HP3 0JF.  
APPLICANT: Mr Rickett.**

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[Case Officer - Intan Keen]

### **Summary**

This application is recommended for approval.

The site is located within the village of Bovingdon proximate to local services and facilities where there is support for the provision of housing under local and national policy.

The development of a two-bedroom end-of-terrace dwelling would not significantly compromise the character and appearance of the street scene of Hamilton Mead and would be considered acceptable with respect to the impact on the setting of the adjacent Conservation Area.

The residential amenity of neighbouring properties would not be adversely affected by the proposal.

Car parking arrangements for both the existing and proposed dwelling would be sufficient, noting the site's location within a village and proximity to the local centre. It is acknowledged that Hamilton Mead and the surrounding road network can be heavily parked, however this harm has not been evidenced by the highway authority, and would not be of significant harm to outweigh the benefit of the provision of one additional home.

The proposal is therefore acceptable in accordance with the provisions of the NPPF, Policies CS4, CS8, CS11, CS12 and CS27 of the Core Strategy and saved Policies 58 and 120 of the Local Plan.

### **Site Description**

The application site is currently occupied by a two-storey semi-detached dwelling located on the western side of Hamilton Mead, and is the end property at the cul-de-sac. Hamilton Mead is a short and curved residential street, characterised by properties of brick construction with similar proportions and features, particularly catslide roofs with dormer windows to their principal elevations. Several are linked by garages.

The site is designated as part of the residential area within the village of Bovingdon, and sits adjacent to the Bovingdon Conservation Area to the south.

Land uses surrounding the site are mixed, with residential on Hamilton Mead to the north and east, commercial and industrial uses immediately west surrounding a courtyard and properties fronting High Street, and a school on lower ground to the south.

### **Proposal**

Planning permission is sought for the conversion of the existing garage and construction of a first floor addition to provide a two-bedroom dwelling.

The proposed dwelling would feature day-to-day living accommodation at ground floor and two bedrooms at first floor level.

It would have a two-storey appearance to Hamilton Mead with a set down gable roof, catslide to front with dormer window and roof light.

The rear garden would be subdivided in line with the existing side wall of the dwelling.

No car parking is proposed for the new two-bedroom dwelling, however one car parking space for the existing dwelling would be provided within the forecourt.

### **Referral to Committee**

The application has been referred to the Development Management Committee as it has been called in by Councillor Stewart Riddick.

The application has also been referred to committee due to the contrary views of Bovingdon Parish Council.

Full comments are provided within the Summary of Representations section below.

### **Planning History**

None relevant

### **Policies**

#### National Policy Guidance

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

#### Core Strategy

Policies NP1, CS1, CS4, CS8, CS11, CS12, CS17, CS18, CS29, CS31, CS32, CS35

#### Saved Policies of the Dacorum Borough Local Plan

Policies 10, 13, 18, 21, 51, 57, 58, 63, 99, 100, 101  
Appendices 3 and 5

#### Supplementary Planning Guidance / Documents

Environmental Guidelines (May 2004)

### **Summary of Representations**

#### 24 Hamilton Mead

I firstly write to complain that I have not yet received a letter or any formal notice of this Planning Application, and have only heard about it through the grapevine with the cut-off date for the Consultation Period fast approaching. There is also no notice on display outside the property to suggest that there are any Planning Applications under consideration.

Secondly, I object to the planning application now that I have been made aware of it.

The design of the new property (28?) would change the definition of both 26 and 24 since they would subsequently form part of a terrace instead of the 2 semi-detached houses they currently are. 24 would, as a consequence, become down-classified as 'end-of-terrace'. Furthermore, one end of that resultant terrace, 28, would be disproportionately narrow compared to the other and the design and visual appearance out of keeping with the symmetrical nature of the rest of Hamilton Mead.

There is already a problem with the adequacy of parking in Hamilton Mead and always has been in the 16 or so years I have lived there. This is especially the case for those properties beyond the end of the tarmac'd road like No. 26, with cars having to overspill parking in front of both 24 and 15. An additional property beyond 26, without real access to the road except via an overlap with 26, could only exacerbate this problem as it will not be viable to park a car in front of the new property. The occupants of 26 already need to move their cars to afford access when it is necessary for a vehicle to be driven into or out of the garage currently on the site of the proposed two-bedroom house.

At certain times, the number of vehicles parked in the road is further stretched when parents drop their children off for, or pick them up from, the nearby Bovingdon School and with the road already choked with parked cars, it is easy to envisage emergency vehicles having grave difficulty reaching the end of the road. Any additional demand for parking by an extra house without any frontage on to the road will only make this situation worse.

Presumably the long-term threat to this small cul-de-sac is being taken seriously by you and your department and all objections are being investigated thoroughly.

#### 24 Hamilton Mead further comments

Further to my comments sent to you on 23/12/2017, I now notice that a sign has finally been displayed, either today or yesterday, on the lamp-post outside of 22/24 Hamilton Mead, but that it is dated 3/1/2017 and gives a 21 day limit for when objections can be raised, which basically runs out the same day as the sign was put up as far as I know.

It also appears to contradict James Doe's (Assistant Director – Planning, Development and Regeneration) letter to Terry Bridger dated 2/1/2017 in which he stated that the latest date for comments would be 1/2/2017.

However, I write to emphasise the parking issues I referenced in my previous letter and enclose a photograph taken upon my return home from work this evening to illustrate the current situation. As you can see from the attached photo, the parking space in front of the proposed new development (behind the white car on the right) is effectively blocked off by both the tree and other parked cars from 24, 26 and 17. I also note that the Planning Application doesn't propose removing the tree.

I trust you can add this comments to the many objections you have already received.

#### 17 Hamilton Mead

I strongly object to the above planning application on the following grounds:-

1. Hamilton Mead is a narrow road with very limited designated public parking bays which means that vehicles park on the road. Hamilton Mead is a pedestrian link for occupants living in the Mead and St Lawrence Close to the High Street. The problem is compounded when parents taking their children to and collecting them from Bovingdon Academy park in the Mead, often on the pavement which makes it very dangerous for pedestrians, who are forced to walk in the road. If this application is granted there will be the loss of one off road car parking space at 26 Hamilton Mead, also the new house being a four bedded property makes a potential for four more cars trying to park on the road. At present access is not easy for emergency vehicles to attend properties in Hamilton Mead and the prospective extra car parking in the road will make the problem even greater.

2. Also if this application is granted, the extra traffic caused in the building stages by delivery vehicles together with the contractors' vehicles working on the site will increase the car parking and safety problems.

Question 17 of the application form, the table showing "Market Housing - Proposed" is marked as two 2 bedroom houses whereas in fact it is one 2 bedroom and one 3 bedroom.

I would request that you refuse this application on the parking and safety issues and of the overdevelopment of the site.

### 15 Hamilton Mead

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1. Hamilton Mead is a narrow road with very limited designated public parking bays which means that vehicles park on the road. Hamilton Mead is a pedestrian link for occupants living in Hamilton Mead and St Lawrence Close to the High Street. The problem is compounded when parents taking their children to and collecting them from Bovingdon Academy park in Hamilton Mead, often on the pavement which makes it very dangerous for pedestrians, who are forced to walk in the road ( I do think YELLOW LINES should be put here to discourage this type of parking ) If this application is granted there will be the loss of one off road car parking space at 26 Hamilton Mead, also the new house being a four bedded property makes a potential for four more cars trying to park on the road. At present access is not easy for emergency vehicles to attend properties in Hamilton Mead and the prospective extra car parking in the road will make the problem even greater.

2. Also if this application is granted, the extra traffic caused in the building stages by delivery vehicles together with the contractors' vehicles working on the site will increase the car parking and safety problems.

### 22 Hamilton Mead

I write to object to the above planning application.

I have lived in Hamilton Mead for over 17 years and there has always been a severe shortage of parking. This is further compounded by the fact that Hamilton Mead is very close to Bovingdon School and many parents use the street to park, when either dropping off or picking up their children. Even out of those hours it can be the case that residents have to move vehicles in order to allow neighbours to access parking.

Adding another property at the end of a cul de sac will compound what is already a major issue, in access to properties for both emergency and delivery vehicles at many times of the day. It is also a valid safety consideration to consider the volume of young children using Hamilton Mead as a thoroughfare in school hours, as well as many elderly members of the community (who live in Dudley House) and walk through Hamilton Mead; in order to access the High Street via the shortest route.

In summary, the number of vehicles already using Hamilton Mead to park already far outweighs the original planner's expectations, and with only 5 designated public parking bays available, demand for parking is at a premium. Additional traffic and restrictions to an already severely crowded road during construction would be highly chaotic, disruptive and dangerous to both householders and pedestrians, whilst the legacy of increasing the number of vehicles using Hamilton Mead will inevitably worsen A) access for emergency vehicles and B) the safety of vulnerable young and elderly community members.

Finally, please confirm whether this application is being considered by committee? With the likely further additional traffic and access restrictions it will bring, I would expect that the decision on authorising a potentially life threatening change to a small cul-de-sac would not be left to one individual planning officer by council officials. I am also certain that I will not be the only resident who would wish to attend that meeting.

#### 22 Hamilton Mead - further comments

Further to my earlier e mail, I understand that if it is considered that a planning application may have an impact beyond its immediate locality, then Councils will usually consult over a wider area.

#### 11 Hamilton Mead

I am writing to object to the above planning application. The creation of an additional dwelling will exacerbate the severe shortage of parking in Hamilton Mead.

As you will be aware, this is a small cul de sac and access to properties for delivery and, more particularly, emergency vehicles is already a major problem.

In addition, Hamilton Mead is in close proximity to Bovingdon School and many parents park in the street to drop off or pick up their children. More often or not outside these times, householders are moving vehicles to allow neighbours access to parking.

There is also a safety consideration in that many young children use Hamilton Mead as a thoroughfare during school hours. Many elderly people from Dudley House also use the road for access to the High Street.

Additional traffic and restrictions during construction would have a disruptive and dangerous impact on both householders and pedestrians.

The long term effect of an additional dwelling would be to increase the number of vehicles using Hamilton Mead which would ultimately impact on access for, most importantly, emergency vehicles and the safety of pedestrians particularly our young and elderly villagers. Also parking problems would be compounded as the demand for the limited space available would increase (we currently have 5 designated parking bays).

In the circumstances, I feel this application should not be determined under delegated powers but should be considered by committee. Could you please confirm whether this will be the case.

#### 8 Hamilton Mead

I am writing to raise my concern over the above planning application to build a two bedroom house in place of the existing garage that is attached to the integral garage side of 26 Hamilton Mead.

Hamilton Mead is only a small estate of 21 properties built as a cul-de-sac, so all delivery lorries, large vans, emergency vehicles etc only have that part of the road outside 24 & 26 to attempt to turn their vehicles around. That is why any extra cars or traffic that would arise from the building of this house would only lead to making the problem worse to the extent that these large vehicles would have to try and reverse out. This situation at school starting and finishing times makes it impossible for any large vehicle to reverse out due to cars being parked all along the road.

We have already had some very large ready-mix concrete lorries attempting to reverse all the way into Hamilton Mead only a few months back when some previous work was done at this same site entrance.

I also have some points to raise regarding the above proposal, and the manner in which the public consultation has been carried out, as follows;

Public Consultation Process:

I can see from the DCC Planning Website that only 4 people in Hamilton Mead out of 20 have been contacted by the council for the purpose of public consultation. The adjacent property No 24 has not been informed which I find very unusual. All the other consultation letters have been sent to properties on Bovingdon High street that will not be directly affected by this proposal.

I would like to say that your decision to only consult with 4 properties when we live in a cul-de-sac is undemocratic and goes against what I would call Public Consultation.

As a long standing resident of Hamilton Mead I was surprised to only learn of this development from my neighbours and not directly from the Council and I also see there was no planning notice outside the site.

The health and safety of the Hamilton Mead residents should not be given a lower priority when set against the profit driven objectives of any developer.

#### 5 Hamilton Mead

Further to the above planning application we would like to register our objection to this proposal, on the grounds that there will be insufficient off road parking.

With the inevitable increase in the number of vehicles that this development will bring, we are very concerned regarding access for emergency vehicles being compromised.

#### 1 Hamilton Mead

I have just heard from my neighbour about the above proposal and am surprised that Dacorum Council did not let me know this proposed development was going to go to planning.

I feel it was wrong to try and go ahead with a planning application like this and to put a closing date on for the first day after a long holiday break when many people are away. It smacks of some very underhand principles when this is done and without informing the residents of nearby properties.

It appears that only four residences in Hamilton Mead were informed along with 12 properties in Bovingdon High Street (except the school) that we believe are linked directly or indirectly with the resident or owner of the proposed development.

Some foundation work must have already gone on at this site judging by the amount of ready mix concrete that was delivered to site in the latter months of last year. This is contrary to the statement in section 3 of the application.

This section also states that the proposal is "Conversion of a garage and first floor extension to provide a new two bedroom dwelling". There is no existing first floor extension, the house is similar to other properties on this estate with a third bedroom over an integral garage.

Having extra cars for this proposed development will make it more difficult for delivery vans and emergency vehicles to execute a three point turn to get back out of the estate.

I have since heard that the final date has been put back to February 1<sup>st</sup>.

Councillor Stewart Riddick

I am only 'calling for this application to be put before the DCC' if Officers intend to recommend APPROVAL.

However, if Officers will be REFUSING the application, there will be no need to put this before the DCC.

By way of background, the application as submitted is non-compliant, woefully inadequate and totally misleading.

Please see my scanned copy of the Plans and Application Form which highlights (some) of the items which are incorrect or incomplete, including no clear identification of exactly who the true Applicant is or his FULL contact details.

Other reasons for refusal:

- 1) The proposal shows a 2 BED Property...with 4 Sleeping Places. As such the (Minimum) National Requirement for such a property would need to be 79 SQ.M. This proposal is substantially smaller than this (Minimum) requirement.
- 2) There would be no additional Parking facility for this proposal. In fact, there would be even LESS space for parking, since the existing (integral) garage to number 26 would cease to be used as a Garage...as it is indicated as being for 'Storage Only'. There would also be the LOSS of the existing additional adjoining Parking space in the area which is currently an integral Car Port to number 26.
- 3) There is no provision for the storage of a (minimum) of 6 'Wheelie Bins'.
- 4) Access along Hamilton Mead is already severely restricted. No Emergency Vehicles could get through.
- 5) There would be no garden or amenity space.

In view of the obvious deficiencies and errors of this submission, please confirm how this application will now be dealt with.

Bovingdon Parish Council

Object

Inappropriate development; site too small - does not support a two bedded unit and is below National Housing Standards for a one bedded unit; loss of amenity space; would cause access problems for emergency vehicles and creates other parking issues for neighbours

Strategic Planning and Regeneration

The Application

Number 28 forms an end part of a group of semi-detached properties sited along Hamilton Mead, which is a cul-de-sac. This property is at the end of the cul-de-sac. It is joined to the north by another property and on its side to the south to Bovingdon Primary Academy perimeter fence. The proposal is to convert the garage and to extend upwards to form a new 2-bed dwelling.

## The Policies

According to Core Strategy (2006-2031) Policy CS1: Distribution of Development Hemel Hempstead is identified as the focus for homes. However, the policy states that the market towns and larger villages (Bovingdon) can also accommodate new housing.

The property borders the designated Local Centre area and lies within the Residential Area. The area is zoned for appropriate residential development (Policy CS4) and, therefore, the principle of new housing is acceptable in this general location. Furthermore, the Proposal Map indicates that the Conservation Area (saved Policy 120 / Policy CS20) is some distance from Hamilton Mead and therefore should not impact on this application. The property does lie within an Area of Archaeological Importance (site 48 Bury Farm, Bovingdon). Policy 118 Important Archaeological Remains and Policy CS27 applies in this situation and the County Archaeological Group will need to be consulted.

Within the saved DBLP (1991-2011) a number of policies (and linked Appendices) are applicable to this application.

Saved DBLP Policy 18 The Size of New Dwellings (see also Core Strategy Policy CS18 Mix of Housing) encourages the provision of smaller housing units as proposed by this application. It states:

“The development of a range of dwellings in size and type will be encouraged. Regard will be paid to:

(a) The need to provide accommodation for new, small households:.....  
.....Units for small households meeting 1 or 2 bedrooms will be sought”

In terms of parking, nothing has been indicated (apart from the fact that there is a loss of the garage). According to saved Appendix 5 of the Local Plan provision for a 2 bed dwelling parking should be 1.5 spaces. Will the original property have off-street parking available to it?

This application could be considered as both a conversion and an extension/new build. Saved Policy 19 Conversions and Appendix 7 Small-scale House Extensions from the Local Plan (1991-2011) should be referred to. The key questions relate to whether the development ‘fits’ in with the character of the area/street scene and what impacts it has on the neighbours. The Council would generally oppose side extensions if it leads to the ‘terracing’ effect however the proposed side extension would lie adjacent to a school perimeter fence not another dwelling.

## Conclusion

The broad principle of the development is generally encouraged in policy terms. In addition, the provision of housing in Bovingdon is encouraged especially in designated Residential Areas, including the provision of smaller units. The case officer also needs to assess other normal DM considerations including design (Policy CS12g) and effects on neighbouring properties (Policy CS12). In addition provision for parking has to be established.

## Conservation and Design

This is a modern house which is located at the end of a modern cul-de-sac. It is of two storeys in brick with a concrete tiled roof. It is not within the conservation area but sits adjacent to it. The building adjacent within the conservation area is the modern primary school building. It is of a single storey also constructed in brick with concrete tiled roof as is the adjacent library. To the frontage is a modern sandwich bar and shop. There is also a grade II listed house to the street frontage however it has a modern extension to the rear which is of lesser architectural interest

between the listed building and the property.

The proposed extension is outside the conservation area although adjacent to it. There is a glimpsed view from the high street but the building does not appear particularly obvious within the streetscene. The proposal would not have a detrimental impact upon this view, the adjacent modern school building or the rear of the listed dwelling. We therefore believe that the impact on the character of the conservation area by the proposal would be minimal.

When viewed within the streetscape of Hamilton Mead we do not believe that the proposed building would stand out but would sit with the other buildings within the close. The scale and design would be appropriate for the site.

Recommendation We would not object to the proposals as it would have a minimal impact on the setting of the conservation area. The design is in keeping with the scale and proportions of the surrounding buildings in Hamilton Mead. Materials subject to approval.

### 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.

This proposal is acceptable in a highways context. There won't be any alteration to the existing vehicle/pedestrian access (according to S6 of the application form). There is one onsite parking and extra means for parking on the street as well. Therefore we as Highway Authority do not wish to obstruct the grant of the permission.

Description of the Proposal: The proposal (4/03169/16/FUL) is for Conversion of Garage and First Floor Extension to Create a New Two Bedroom Dwelling. The development is located on 26 Hamilton Mead, Hemel Hempstead, which is a sustainable area with regular public transport nearby.

Conclusion: HCC as a Highway Authority does not object to the proposed development however I suggest the two advisory notes.

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

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

### Hertfordshire Highways further comments

In view of the additional information, the Highway Authority's response remains the same bearing in mind the implications of the development is not considered to be significant. There is an undercroft vehicular access from the High street (between No's 33b and 35) to the court yard to the rear of the property. The question is whether the applicant has the right to use this access. In terms of meeting the parking requirements, this is something that sits with the

planning Authority.

### Contaminated Land

The site is located within the vicinity of the following potentially contaminative current and former land uses:

- Former slaughter house
- Unknown filled ground / potentially infilled pond (3no.)
- Former petrol station
- Garage
- Cemetery / graveyard
- Smithy
- Coal yard
- Bovingdon Dry Cleaners

The garage itself also represents a potential source of contamination (the potential for leaks and spills of fuels/chemicals).

I recommend that the contamination conditions be applied to this development should permission be granted. For advice on how to comply with this condition, the applicant should be directed to the Council's website ([www.dacorum.gov.uk/default.aspx?page=2247](http://www.dacorum.gov.uk/default.aspx?page=2247)).

Council must be informed without delay, advised of the situation and an appropriate course of action agreed.

### Hertfordshire Fire and Rescue

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

Further comments will be made when we receive details of the Building Regulations application.

### Hertfordshire Archaeology

In this instance I consider that the proposal is unlikely to have an impact on heritage assets of archaeological interest and I therefore have no comment to make on the application.

### Thames Water

#### Waste Comments

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

#### 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

As described above, the site lies within an established built up residential area within the village of Bovingdon, where appropriate residential development is encouraged under Policy CS4 of the Core Strategy. Section 6 of the NPPF sets out housing applications should be considered in the context of the presumption in favour of sustainable development.

#### Layout and density

The proposal and associated subdivision would generally follow the regular pattern of development within Hamilton Mead. The proposed dwelling would benefit from access to the commercial yard to the rear through to Bovingdon High Street.

In density terms the proposal would be acceptable, also noting the allocated garden area to the proposed two-bedroom dwelling would be sufficient. The remaining area of garden for the existing three-bedroom dwelling would be appropriate and functional.

Although garden depths would be short of the 11.5m standard, they would be of lengths commensurate with adjacent and nearby properties on Hamilton Mead.

Concerns have been raised with respect to internal space standards of the proposed dwelling. It is noted that there are no adopted local standards. Policy 19 of the Local Plan (now superseded) sets out minimum internal areas however these are for flats. The proposal would exceed these as measured on plan and as such a reason for refusal of the application could not be supported on these grounds.

The development is therefore acceptable under Policies CS11 and CS12 of the Core Strategy.

#### Impact on appearance of street scene and adjacent Conservation Area

The proposed development is constrained by the width of the available space between the existing dwelling and the side boundary and has therefore taken a subservient form relative to No. 26. Although the street scene, as noted above, features dwellings with visual similarities, it is not considered the proposal would result in an unduly cramped appearance and would not unacceptably harm the character and appearance of Hamilton Mead.

It is firstly noted that whilst Hamilton Mead has a distinguished pattern of development, it is not a visually sensitive street scene and there are no guidelines or specific requirements for retention or duplication of building proportions or detailing in this particular street. The development would contribute to the character of the street by adopting some of the recurring features, including the front catslide and dormer window.

Additionally, the proposed dwelling would occupy a position at the end of the cul-de-sac, and would not have a direct relationship with Hamilton Mead (it would front an area of land at the end of the close in private ownership). Consequently, the development would not have a prominent location in the street.

It is important to note that the Conservation and Design officer has not raised any objection to the appearance of the proposed building in this street scene, or with respect to its interface with the Bovingdon Conservation Area.

It follows the proposal would not result in unacceptable harm to the street scene or the Bovingdon Conservation Area and would not compromise the objectives of Policies CS11, CS12 or CS27 of the Core Strategy or saved Policy 120 of the Local Plan.

#### Impact on neighbouring properties

The proposed dwelling would have two neighbouring properties on Hamilton Mead including

the existing dwelling at No. 26 Hamilton Mead and the dwelling opposite at No. 17. Directly east is Bovingdon Primary Academy and to the rear (south-west) is No. 39 High Street and the commercial yard to the rear of Bovingdon High Street. Each shall be discussed in turn.

The development would not project beyond the main front or rear walls of No. 26 Hamilton Mead and the development therefore would not compromise the residential amenity of this property in terms of visual intrusion, loss of light or overlooking.

As noted, the development would not project beyond the front wall of No. 26 and would not give rise to unreasonable levels of overlooking, visual intrusion or loss of light from the perspective of No. 17 Hamilton Mead. The distance between the front walls of No. 17 and the proposed dwelling would be commensurate with those in the street.

The development would not feature any windows facing towards the school to the east and would not result in adverse levels of overlooking. The building would have an elevated position relative to the school grounds however this would not result in unreasonable visual intrusion to windows within school buildings.

A separation of approximately 21m is proposed between the main rear walls of the proposed dwelling and the bungalow at No. 39 High Street. The rear windows limited to ground floor level at No. 39 and boundary treatments noting the oblique relationship between the two properties would be considered sufficient to mitigate negative impacts on the residential amenity of No. 39 High Street. The neighbour at No. 39 benefits from a garden of generous dimensions which would provide adequate visual relief from development on the application site.

The development would also not compromise the function of the commercial yard to the south-west or have a negative impact on surrounding properties, particularly Nos. 33, 35, 35a, 37, 37a and 37b High Street.

It follows the proposal would not have an adverse impact on the amenity of neighbouring properties in accordance with Policy CS12 of the Core Strategy.

#### Impact on parking and highway safety

The proposal would result in one three-bedroom dwelling (existing dwelling at No. 26) and one two-bedroom dwelling (proposed dwelling). Under local parking standards set out under saved Appendix 5 of the Local Plan, the proposal would generate an on-site total of 3.75 spaces as a maximum. The amended site layout would accommodate for two spaces allocated to the existing dwelling at No. 26 within an extended forecourt, and one space for the proposed dwelling within a garage immediately to the rear of the property, accessed via Bovingdon High Street.

Access arrangements as set out above were considered acceptable by the highway authority.

It is acknowledged that Hamilton Mead and surrounding areas of Bovingdon have experienced high demand for on-street parking, and the proposed parking arrangements and site layout offer an acceptable solution to provision of private parking for the dwellings in accordance with Policies CS8 and CS12 of the Core Strategy and saved Policy 58 of the Local Plan.

Further, it is also important to note the benefits of the application site particularly its location proximate to the local centre of Bovingdon High Street (specifically, the new dwelling would have direct access from the rear garden through to High Street). This represents a sustainable location where less car journeys would need to be made and where flexibility could be applied with respect to parking provision.

Another factor which weighs in favour of the proposal is that many of the dwellings on Hamilton

Mead currently benefit from at least one private off-road parking space whether provided in the form of a garage or forecourt parking.

Based on the above factors, the proposal would not compromise the objectives of Policies CS8 and CS12 of the Core Strategy and saved Policy 58 of the Local Plan.

#### Community Infrastructure Levy (CIL)

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.

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 dwelling at No. 26 Hamilton Mead, Bovingdon.**

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS11 and CS12 of the Dacorum Core Strategy 2013.

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

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

**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, to safeguard the visual character of the immediate area and to safeguard residential amenity in accordance with Policy CS12 of the Dacorum Core Strategy 2013.

- 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 of the new dwelling hereby permitted 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 and E**

Reason: In the interests of safeguarding the residential amenity of the locality and to ensure sufficient garden size and living conditions for future occupiers of the development in accordance with Policy CS12 of the Dacorum Core Strategy 2013.

- 5 **The development hereby permitted shall not commence before a Phase I Report to assess the actual or potential contamination at the site has been submitted to and approved in writing by the local planning authority. If actual or potential contamination and / or ground gas risks are identified, further investigation shall be carried out and a Phase II Report shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development hereby permitted. If the Phase II Report establishes that remediation or protection measures are necessary a Remediation Statement shall be submitted to and approved in writing by the local planning authority.**

**For the purposes of this condition:**

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

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

**A Remediation Statement details actions to be carried out and timescales so that contamination no longer presents a risk to site users, property, the environment or ecological systems.**

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development in accordance with the National Planning Policy Framework and Policy CS32 of the Dacorum Core Strategy 2013.

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

permitted.

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

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development in accordance with the National Planning Policy Framework and Policy CS32 of the Dacorum Core Strategy 2013.

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

**Site Location Plan**

**wren naj 85b 2016**

**wren naj 85c 2016 (elevations only)**

**wren naj 85c 2016 (parking plan only)**

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

Article 35

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

Hertfordshire Highways Informative

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

AN2) Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

Contaminated Land Informative

Paragraph 121 of the National Planning Policy Framework states that all site

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

Contaminated Land Planning Guidance can be obtained from Regulatory Services or via the Council's website [www.dacorum.gov.uk](http://www.dacorum.gov.uk)

#### 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.