

**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
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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Withdrawn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.