

**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 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.**