

**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 and 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:

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