

**4/02557/16/FUL - CHANGE OF USE OF HOME WORKSHOP TO THREE BED DWELLING.  
THE LAURELS, SHENDISH DRIVE LEADING FROM LONDON ROAD, SHENDISH, HEMEL  
HEMPSTEAD, HP3 0AA.  
APPLICANT: MR & MRS D CHAPMAN.**

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[Case Officer - Intan Keen]

### **Summary**

This application is recommended for approval.

The principle of conversion to residential is acceptable in principle however the impact of the associated change of use of the surrounding land has been carefully considered in this Green Belt location and would not conflict with the aims of Green Belt policy. The workshop proposed for conversion is an ancillary outbuilding to the parent dwelling at The Laurels and is not a commercial use; additionally ancillary buildings are not protected under any policy. The development would not have an adverse impact on the character and appearance of the surrounding area or countryside, would not adversely impact upon the residential amenities of neighbouring properties, and would benefit from sufficient car parking.

The proposal would therefore accord with the aims of the National Planning Policy Framework and Policies CS5, CS11 and CS12 of the Dacorum Core Strategy 2013 and saved Policy 58 of the Dacorum Borough Local Plan 1991-2011.

### **Site Description**

The application site is currently occupied by a detached workshop and storage shed which form part of an open garden area within the curtilage of a dwelling at Little Laurels, all of which lie within the grounds and ownership of a larger dwelling at The Laurels.

The site at The Laurels is located on the western side of a drive forming part of the local highway network, and lies within the north-eastern corner of a small collection of isolated units within the grounds of Shendish Manor and golf course.

Directly north and to the east is the golf course and other low density residential units lie to the south. The site falls within the Green Belt and is situated outside of the town of Hemel Hempstead. Specifically, Shendish Manor and grounds are separated from the town by the long driveway leading off London Road (Apsley).

### **Proposal**

Planning permission is sought for the conversion of the existing domestic workshop outbuilding to be used as a three-bedroom dwelling and associated subdivision of the site to provide appropriate amenity space serving the new dwelling.

The building would feature all accommodation and amenities at ground floor level.

The shed to the north of the proposed dwelling would be removed as part of the proposals.

Amended plans indicate the areas for parking provision for the existing dwelling at Little Laurels and the proposed dwelling, which would share vehicular and pedestrian access in the site's north-eastern corner. The main dwelling at The Laurels benefits from a separate in-out access.

### **Referral to Committee**

The application has been referred to the Development Management Committee due to the

contrary views of Kings Langley Parish Council.

## **Planning History**

For reference, applications 4/00829/01/FUL and 4/02321/01/FUL granted the demolition of the existing bungalow and construction of new chalet style house and subsequent revised scheme, planning permissions dated 24 September 2001 and 21 February 2002, respectively.

There are no available historical applications for the existing building proposed for conversion.

Historical aerial photographs show the following:

1940 - inconclusive with respect to buildings however road layout can be identified roughly as existing

1970 - unavailable

2000 - garden area of The Laurels has been extended to the north and the outbuilding subject to conversion exists on the site

2006 - building currently occupied by the dwelling at Little Laurels exists on the site

2010 - shed to the rear of subject building for conversion exists on the site

## **Policies**

### National Policy Guidance

National Planning Policy Framework

National Planning Policy Guidance

### Core Strategy

Policies NP1, CS1, CS5, CS8, CS11, CS12, CS15, CS17, CS18, CS29, CS31, CS32, CS35

### Saved policies of the Dacorum Borough Local Plan

Policies 10, 13, 18, 21, 58, 99

Appendices 3 and 5

## **Summary of Representations**

### Neighbours

No formal representations received.

### Kings Langley Parish Council

The council objects as this proposal involves the effective development of a new residential house in the green belt. No evidence has been provided that the workshop, which was only granted planning permission and built in 2004, is no longer viable as a workshop, which would enable the re-use of an existing building in the green belt. Moreover, such facilities in the green belt are extremely limited, and so the council is of the view that this use should be conserved.

### 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.

## Description of the Proposal

Change of use of workshop to three bedroom residential dwelling

## Analysis

A Design and Access Statement and a Transport Statement or Assessment were not required as part of the application due to the small size of the proposed development. This is in line with Roads in Hertfordshire: Highway Design Guide requirements.

## Highway Impact

### Trip Generation

The trip generation profile is not required as the proposed development is unlikely to impact on the overall function of the local highway network.

### Road Safety

There are no collisions recorded within the vicinity of the development site. Given that the development is unlikely to add a measurable level of additional two way trips to the road network, it is also unlikely that the changes to the development site will negatively impact the safety of the highway.

### Vehicle Access

The workshop/ proposed new home is accessed via the existing arrangements that serve The Laurels. Looking through the application form there are no plans to change the current access arrangements which is confirmed in section 6 of the application form attached to this submission. HCC road hierarchy states that the Shendish Drive is part of the Shendish Manor estate, which is served via a private road from the A4251 London Road and does not form part of the adopted public highway. As a private road, Hertfordshire County Council as highway authority has no jurisdiction over this section of road and considers that the proposal will not have an unreasonable impact on the safety and operation of the adjoining highways.

## Conclusion

The assessment does not indicate any significant issues with the proposal to change the use of the workshop to a home. The highway authority would not wish to restrict the grant of planning permission subject to the above conditions and informatives.

## Thames Water

No objection

## **Considerations**

### Policy and principle

Policy CS5 of the Core Strategy states that small-scale development would be permitted in the Green Belt including the appropriate re-use of permanent, substantial buildings. The re-use of buildings under this policy is conditional; provided that it has no significant impact on character and appearance of the countryside, and it supports the rural economy and maintenance of the wider countryside.

There is no specific definition for small-scale under Policy CS5, however the proposal relates to

an ancillary outbuilding to provide a three-bedroom dwelling and in this instance based on the locational characteristics of the site and nature of the proposal it is generally considered to be small-scale. (Matters relating to the character and appearance of the countryside shall be discussed in relevant sections that follow.)

Similarly, paragraphs 89 and 90 of the NPPF list the exceptions to inappropriate development in the Green Belt. Specifically, one of the exceptions under paragraph 90 is the re-use of buildings, provided that it preserves the openness of the Green Belt and does not conflict with the purposes of including land within the Green Belt.

The use of the land surrounding the building would continue to be used for residential purposes although as part of a separate curtilage. Any other impact on openness with respect to subdivision and parking to create a separate curtilage would be appropriately offset by the loss of the existing shed building. The proposal therefore would not conflict with any of the key purposes of the Green Belt under paragraph 80 of the NPPF.

Based on the above, it is considered that very special circumstances exist for the proposed change of use, the proposal would preserve the openness of the Green Belt and would not conflict with the purposes of including land within the Green Belt in accordance with the NPPF and Policy CS5 of the Core Strategy.

#### Impact on appearance of countryside and street scene

It is important to note in considering any development including hard landscaping proposals that the site is well-contained and screened from the surrounding countryside by existing intervening boundary treatment and vegetation particularly to the public path to the north and golf course forming the wider grounds of Shendish. The main part of the site comprising the proposed building for residential conversion and its allocated garden area would be set back substantially from its principal road frontage. The frontage of the wider site at The Laurels consists of hardstanding and parking and this would remain unchanged with the exception of added vehicles associated with the proposed development. As noted above, any increase in parking would not unduly detract from the wider countryside noting the amount of hardstanding and off-road parking evidenced in the residential street scene.

The proposed development as alluded to above would maintain the rural residential setting of the site and surrounding area noting low and permeable boundary treatment and the retention of soft landscaping. The proposed demolition of another ancillary residential outbuilding would represent a significant benefit to the openness of the site and surrounding area, contributing to the Green Belt policy aim of controlling encroachment into the countryside, and therefore considerable weight is attached to this factor in favour of the proposal.

It is also considered reasonable that permitted development rights to the proposed dwelling are removed if planning permission is granted, specifically for Classes A, D and E (extensions, porches and outbuildings, respectively). As the building does not directly front a road, there is potential for the building to be significantly extended under these classes that could result in building sprawl that would conflict with the aims of preserving the openness of the Green Belt under paragraph 90 of the NPPF and Policy CS5 of the Core Strategy.

It follows that the proposal would not have an adverse impact on the appearance of the street scene within the Shendish estate or the surrounding golf course and countryside.

#### Impact on neighbouring properties

The proposed site layout, siting and single-storey scale of the building and its associated conversion to a dwelling would not give rise to concerns relating to visual intrusion, overlooking or loss of light to the neighbour immediately east (Little Laurels) or the main dwelling at The

Laurels. A high boundary fence exists to the western (rear) boundary of the site at The Laurels and there would be adequate separation from the nearest neighbouring dwelling located over 10m to the south-west to ensure no adverse impacts. As such, the proposal would not have a detrimental impact on the residential amenity of neighbouring properties in accordance with Policy CS12 of the Core Strategy.

#### Impact on car parking and highway safety

The provision of one small-scale residential unit would not result in significant additional traffic movements and the highway authority has found the proposals satisfactory.

There would be adequate parking provision for all dwellings noting the proposal would create additional parking to the north of the existing drive within an open gravel area which would be sufficient to accommodate parking for at least three cars which would be sufficient for both the proposed dwelling and the existing adjacent residential unit at Little Laurels. The proposal would therefore meet maximum parking standards for the two dwellings under saved Appendix 5 of the Local Plan.

Adequate parking provision would remain on site for the existing dwelling at The Laurels (on its unchanged forecourt and garage parking opposite (east of the dwelling)).

It follows that the proposal would not detriment highway safety in accordance with 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 1 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 No construction works (excluding groundworks) 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 and their location;**
- **means of enclosure within or around the approved residential curtilage;**

- **soft landscape works following removal of outbuilding 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 and to safeguard the visual character of the immediate area and the openness of the Green Belt in accordance with Policy CS5 of the Dacorum Core Strategy 2013.

- 3 **Any tree or shrub which forms part of the approved landscaping scheme which within a period of five years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a species, size and maturity to be approved by the local planning authority.**

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

- 4 **The proposed car parking spaces shall have minimum dimensions of 2.4m by 4.8m and be located on land in the ownership of the applicant. Such spaces shall be maintained as a permanent ancillary to the development and shall be used for no other purpose.**

Reason: To ensure the adequate and satisfactory provision of off-street vehicle parking facilities in accordance with Policy CS12 of the Dacorum Core Strategy 2013 and saved Policy 58 of the Dacorum Borough Local Plan 1991-2011.

- 5 **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 to the dwelling and within its associated residential curtilage 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, D and E  
Part 2 Class B**

Reason: To preserve the openness of the Green Belt in accordance with the National Planning Policy Framework and Policy CS5 of the Dacorum Core Strategy 2013.

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

**Site Location Plan (received September 2017)  
Block / Site Plan (received August 2017)**

**2892/7A (proposed plans and elevations)**

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 to justify the proposal in its sensitive location. The Council has therefore acted proactively 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.