

6. APPEALS LODGED

- 4/00445/17/FUL RELX (UK) Ltd
CONSTRUCTION OF SECURITY FENCING
LAND AT NEW MILL, ICKNIELD WAY/GROVE ROAD, TRING
[View online application](#)
- 4/00620/17/FUL MR & MRS D JOHNSTON
DEMOLITION OF SINGLE STOREY SIDE EXTENSION AND
CONSTRUCTION OF TWO STOREY SIDE AND REAR EXTENSION AND
SINGLE STOREY REAR EXTENSION. DIVISION OF PROPERTY TO
CREATE AN ADDITIONAL SEMI-DETACHED DWELLING WITH
ASSOCIATED PARKING AND VEHICULAR ACCESS

10 WRENSFIELD, HEMEL HEMPSTEAD, HP1 1RN
[View online application](#)
- 4/00829/17/FUL MR C ALLAND
CONSTRUCTION OF 4-BED DWELLING
BAG END, HOGPITS BOTTOM, FLAUNDEN, HEMEL HEMPSTEAD, HP3
0PX
[View online application](#)
- 4/00918/17/FUL CONSTRUCTION OF NEW DWELLING (AMENDED SCHEME).
28 MERLING CROFT, NORTHCHURCH, BERKHAMSTED, HP4 3XB
[View online application](#)
- 4/01135/17/FUL WILLIAMS
DEMOLITION OF EXISTING PART TWO STOREY, PART SINGLE STOREY
BUILDINGS AND THE CONSTRUCTION OF 9 RESIDENTIAL APARTMENTS
ON 2 AND A HALF FLOORS WITH PART UNDERGROUND PARKING.
THE STORES, ST PAULS ROAD, HEMEL HEMPSTEAD, HP2 5BD
[View online application](#)
- 4/01194/17/FHA MR ANIL PATEL
LOFT CONVERSION TO FORM HABITABLE ROOM WITH REAR DORMER
WINDOW
12 KITSBURY ROAD, BERKHAMSTED, HP4 3EG
[View online application](#)
- 4/01395/17/FHA Sterling
TWO STOREY EXTENSION AND INTERNAL WORKS.
OLD PALACE LODGE, 69A LANGLEY HILL, KINGS LANGLEY, WD4 9HQ
[View online application](#)

4/02686/17/ENA

APPEAL AGAINST ENFORCEMENT NOTICE (INTERNAL FENCING AND GATES).
GREYWOLF FARM, UPPER BOURNE END LANE HEMEL HEMPSTEAD,
HP1 2RR
[View online application](#)

4/02687/17/ENA

APPEAL AGAINST ENFORCEMENT NOTICE (FRONT GATES AND COMPOUND).
GREYWOLF FARM, UPPER BOURNE END LANE, HEMEL HEMPSTEAD,
HP1 2RR
[View online application](#)

4/02688/17/ENA

APPEAL AGAINST ENFORCEMENT NOTICE (TOP GATE).
GREYWOLF FARM, UPPER BOURNE END LANE , HEMEL HEMPSTEAD,
HP1 2RR
[View online application](#)

B. WITHDRAWN

None

C. FORTHCOMING INQUIRIES

None

D. FORTHCOMING HEARINGS

None

E. DISMISSED

4/00837/17/FHA

Mr & Mrs P Wallace
TWO STOREY SIDE EXTENSION
2 THE ORCHARD, KINGS LANGLEY, WD4 8JR
[View online application](#)

The main issue is the effect of the development on the living conditions of the occupiers of Flint Cottage,

with regards to outlook and the loss of daylight and sunlight.

Whilst the close proximity of the existing garage attached to the appeal property appears prominently in the outlook from this bedroom, its flat roof relatively low height allow for a reasonably open aspect above and to either side of it.

The proposed development would result in the presence of a two storey side elevation very close to this bedroom. In this regard, I find that the proposal would, due to its height and proximity, appear unduly dominant to the extent that it would loom above Flint Cottage to an overbearing degree. Further levels of light entering the bedroom would be severely reduced and there is no substantive evidence to the contrary.

The proposed development would harm the living conditions of the occupiers of Flint Cottage with regards to outlook, sunlight and daylight. This would be contrary to the Framework, Dacorum Local Plan (1991) Saved Appendices 3 and 7, and Dacorum Core Strategy (2013) Policy CS12, which together amongst other things, seek to protect residential amenity.

In support of their case, the appellants note that, typically, bedrooms are seldom used during the day. However, the bedroom in question currently provides for the only reasonable outlook from this side of Flint Cottage and the proposed development would result in significant harm to this outlook.

The appellants consider it unfair that they have been 'prejudiced from extending' their property in the manner that they would like due to the previous approval of the development of Flint Cottage. However, this does not alter the harm that would arise from the proposed development.

4/01737/16/RET

Mr B Adams

CHANGE OF USE FROM GREEN BELT GARDEN AREA TO THE PARKING AND STORAGE OF MOTOR VEHICLES.

40 TOWER HILL, CHIPPERFIELD, KINGS LANGLEY, WD4 9LH

[View online application](#)

Main Issues

The main issues are:

Whether the proposal is inappropriate development for the purposes of the National Planning Policy Framework (the Framework) and development plan policy;

The effect of the proposal on the openness of the Green Belt and on the character and appearance of the area; and

If the development is inappropriate, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to very special circumstances necessary to justify the development.

Reasons

Inappropriate development

The appeal site is described as the 'rear garden' and is a large area of hardstanding to the rear of the property, currently used for the parking and storage of motor vehicles. The site lies within the Green Belt and the Framework tells us that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It adds that inappropriate development is by definition harmful. Exceptions to this are given in paragraphs 89 and 90 of the Framework. However, a material change of use such as the appeal development is not one of the listed exceptions. The appeal development does not keep the appeal site permanently open to prevent urban sprawl. Therefore, the proposal is inappropriate development within the Green Belt. It thus conflicts with the Framework aims and purposes of including land in the Green Belt and Policy CS5 of the Dacorum Borough Council Core Strategy 2006-2031 (adopted 2013) in this regard.

Openness and character and appearance

Paragraph 79 of the Framework tells us that openness is an essential characteristic of the Green Belt. The site is not readily visible through the access although it is visible from surrounding properties. The site is quite large and has the capacity to park more than the 36 cars as stated on the application form. The storage and parking of numerous motor vehicles at the site reduces the openness of the Green Belt. Notwithstanding that the site is only visible to surrounding properties it does not alter the physical reality

that the change of use alters the characteristics of the Green Belt which would be significantly less open than its use as a garden.

Although I acknowledge that commercial uses are in the area, the site is surrounded by residential gardens, which is the prevailing character of the area. There is a pleasant residential quality to the area that is reinforced by the presence of mature landscaping. The introduction of such a large number of motor vehicles onto the site, along with the extensive hardstanding is a stark, urbanising and incongruous feature that is out of keeping with the prevailing character of the area, and thus harmful to its appearance.

I therefore conclude that the use of the site for the parking and storage of motor vehicles leads to a material and harmful loss of openness to the Green Belt, which undermines one of the essential characteristics of the Green Belt as defined in the Framework. The development also harms the character and appearance of the area. The proposal is thus in conflict with Policy CS5 of the Core Strategy.

Conclusion

The Framework states that substantial weight should be given to any harm to the Green Belt, and that inappropriate development should not be approved except in very special circumstances. It explains that very special circumstances will not exist unless the harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. I have found that the development represents inappropriate development in the Green Belt and results in a harmful loss of openness to the Green Belt. I have also found that the development harms the character and appearance of the area, and this is a matter to which I attach significant weight. Against this, the appellant has not advanced any other considerations that would clearly outweigh the harm that I have identified and that would amount to very special circumstances necessary to allow the appeal.

For the above reasons, and having regard to the development plan when read as a whole, the development is in conflict with Policy CS5 of the Dacorum Borough Council Core Strategy 2006-2031 (adopted 2013). I therefore conclude that the appeal should be dismissed.

F. ALLOWED

4/01664/16/FUL

Mr R Cowling

FIRST-FLOOR REAR EXTENSION AND CONVERSION OF HALL AND BEDSIT INTO TWO RESIDENTIAL FLATS

31, 31A & 31B HIGH STREET, KINGS LANGLEY, WD4 8AB

[View online application](#)

1. The description of development in the header above is taken from the planning application form. However, in my formal decision, I have used the description given on the Council's decision notice. I consider that this more accurately describes the proposal, which would provide a studio flat and a 2 bedroom flat, rather than the 2 studio flats referred to on the application form and the 2 x 2 bedroom flats referred to in the Council's appeal statement.

Decision

2. The appeal is allowed and planning permission is granted for first floor rear extension and conversion of hall and bedsit into two residential flats at 31, 31a & 31b High Street, Kings Langley, Hertfordshire WD4 8AB in accordance with the terms of the application, Ref 4/01664/16/FUL, dated 6 June 2016, subject to the attached schedule of 4 conditions.

Main Issue

3. The main issue in this appeal is the effect of the proposed development on parking provision.

Reasons

4. 31 High Street lies adjacent to the junction of Little Hayes with the High Street within the Kings Langley Conservation Area. The appeal site is at the end of a row of buildings. Although the building on the appeal site is not listed, it adjoins Grade II listed buildings at Nos 33, 35 and 37. The building is two-storey on the frontage of the site, reducing in height to a single-storey village hall at the rear. The ground levels on the site drop toward the village hall.

5. At ground and first floors behind and above the retail unit on the site's frontage, there is a 2 bedroom flat which is accessed via the passageway to the northern side of the building. This existing unit is described as No 31a and is not subject to any alteration through this planning application.

6. Policies CS8 and CS12 of Dacorum's Local Planning Framework Core Strategy 2012 (CS) seek provision of sufficient safe and convenient parking for development, while policy 57 of the Dacorum Borough Local Plan 2004 (LP) states that parking provision and management will be used to encourage reduced car ownership and usage and that the minimum level of car parking provision will be sought in developments by adopting maximum demand-based standards. Policy 58 of the LP requires parking needs to be met on site, but confirms that parking provision may also be omitted or reduced dependent on the

type and location of the development, including conversion or reuse in close proximity to facilities, services and passenger transport. Appendix 5 of the LP sets out maximum car parking standards, described as the starting point for progressive reductions in on-site provision. For C3 residential use, the maximum standards for this site are therefore expressed as 1.25 parking spaces per 1 bedroom unit/bedsit and 1.5 parking spaces per 2 bedroom unit.

7. The National Planning Policy Framework 2012 (the Framework) has a core principle of making the fullest possible use of public transport, walking and cycling, and advises that parking standards should take account of (amongst other things) the accessibility of development and the levels of car ownership. Subsequently, the Government issued a Written Ministerial Statement (WMS) on 25 March 2015, which highlights that any local parking standard should only be imposed where there is clear and compelling justification.

8. The Council's concerns regarding the proposed development centre on the lack of parking provision for the 2 residential units proposed, and the effect of any resultant on-street parking on congestion and highway safety. The existing 2 bedroom flat, bedsit and hall do not have any off-street parking provision. As I observed on my site visit, the High Street is subject to parking restrictions which operate from Monday to Saturday 0830 – 1800. Within the restricted hours, it is possible to park for one hour, with no return within 2 hours. At the time of my mid-morning site visit, I observed that parking spaces were available on street.

9. Although the proposed development would not include any on-site parking, this is no different to the current circumstances for the existing residential units and the village hall. Neither the bedsit nor the village hall appeared to be in use at the time of my site visit, but I saw nothing which prevented their use in the future. Furthermore, the appeal site lies in a sustainable location within the local centre. In addition to having good access to services, the appeal site lies in close proximity to bus stops on the High Street for services running between Watford and Hemel Hempstead and is approximately 20 minutes' walk from Kings Langley railway station. The use of sustainable transport should therefore be encouraged.

10. At my site visit, I did not see any restrictions on parking on the highway in streets neighbouring the High Street nor did there appear to be a high degree of parking stress and overload in the locality. In the absence of more detailed evidence of a clear parking problem, I consider that it has not been demonstrated that the proposal would materially harm highway safety.

11. Concluding on this main issue, I find that as the site lies in a sustainable location, where development using alternative means of transport should be encouraged, the proposed development would not cause harm to the surrounding road network, congestion and highway safety. The proposed development therefore broadly accords with policies CS8 and CS12 of the CS and saved policies 57 and 58 and Appendix 5 of the LP. The aims of these policies are set out in the paragraphs above. It would also meet the aims of the Framework and WMS outlined above.

Other Matters

12. I note the concerns raised by the Parish Council and local residents with regard to the loss of a community facility. However, the former owners have confirmed that it was not possible for them to rent the hall out at a viable rent to allow reasonable maintenance of the hall and that the hall was in competition with other better-appointed facilities in the locality. In the absence of evidence from the Council that the loss of this community facility would have a harmful effect on the availability of community facilities locally, I do not consider that this would render the appeal proposal unacceptable.

13. A local councillor has raised concerns about the effect of the proposed development on the Conservation Area. I concur with the Council's view that the extension would be acceptable in its context. I consider that the proposed development would not cause harm to neighbouring listed buildings and the Conservation Area, instead it would maintain an existing building in active use. The proposed development would not therefore cause harm to the significance of designated heritage assets in accordance with the requirements of Section 12 of the Framework. The proposed development would also preserve the character and appearance of the Conservation Area.

14. Concerns have been raised by local residents that bats are present at the appeal site within the eaves and the chimney stack. The planning application documents include a Preliminary Roost Assessment (PRA) (Ref: 3101/28092016/RCmjb) dated 28 September 2016. The PRA advised that no evidence of bats was recorded during the survey.

15. The Council has suggested a condition to require that if any bats were discovered during the course of the development, the development would be carried out in line with the mitigation strategy set out in the PRA. I consider that this would be an appropriate means of addressing the presence of any bats and that this would be compliant with policy CS26 of the CS, which seeks to ensure the conservation of species.

16. With regard to further concerns about the effect of the development on the living conditions of neighbours, I do not consider that the window to the proposed extension or the existing windows to the hall would cause a loss of privacy to neighbouring occupiers. Furthermore, given the position of the existing building and the small size of the proposed extension, I do not consider that there would be any significant loss of light or outlook to the neighbouring working studio or the house and garden at No 33. Although the construction of the development may cause some disruption in terms of noise and dust, this would be

temporary. It would not be reasonable to prevent development from coming forward on this basis.

Conditions

17. In addition to the condition addressing the protection of bats discussed above, I consider it necessary to specify conditions limiting the lifespan of the planning permission, confirming the approved plans and the materials for the proposed development. All of these conditions are required to ensure certainty, with the condition on materials also ensuring that the appearance of the development is satisfactory within the Kings Langley Conservation Area.

Conclusion

18. For the reasons set out above, and taking into account all other relevant matters raised, I conclude the appeal should be allowed.