

4/01390/18/FUL	DEMOLITION OF EXISTING GARAGE AND SIDE/REAR EXTENSIONS AND CONSTRUCTION OF TWO-STOREY SIDE EXTENSION AND PART SINGLE, PART TWO-STOREY REAR EXTENSION; CONVERSION FROM SINGLE DWELLING INTO PAIR OF SEMI-DETACHED PROPERTIES (TOTAL 2 UNITS)
Site Address	GREYMANTLE, HEMPSTEAD ROAD, BOVINGDON, HEMEL HEMPSTEAD, HP3 0HF
Applicant	Ben Sterling
Case Officer	Martin Stickley
Referral to Committee	Objection from Bovington Parish Council

1. Recommendation

1.1 That planning permission is **GRANTED** subject to the conditions set out below.

2. Summary

2.1 The proposal for residential development of the site is acceptable in principle as the site lies within a designated residential area and a sustainable location within the village envelope of Bovington, proximate to the local centre and associated facilities. There is strong policy support for housing provision and the optimisation of urban land.

2.1.1 The development is considered to be acceptable in layout terms and with respect to the impact on the appearance of the street scene. There are numerous examples of semi-detached properties within the vicinity. As such the proposed density and scale of development would be acceptable in its context whilst maintaining the character of this part of the street scene.

2.1.2 Car parking provision would be sufficient. Access arrangements would be satisfactory and the highway authority have not raised concern with regards to traffic generated by the development or highway impacts.

2.1.3 The proposal is therefore in accordance with the aims of Policies CS1, CS4, CS8, CS10, CS11, CS12, CS13 CS17, CS18, CS29, and CS35 of the Dacorum Core Strategy (2006-2031) and saved Policies 10, 18, 21, 51, 57 and 58 of the Dacorum Borough Local Plan (1991-2011).

3. Site Description

3.1 Greymantle is located to the north-west of Hempstead Road, within the residential area of Bovington. The site comprises of a two-storey detached property situated on an 'L-shaped' plot with an area of 1,085m². Parking provision is available on the gravel 'U-shaped' driveway to the front the dwellinghouse and within the attached garage.

3.1.1 Hempstead Road is characterised by semi-detached and detached houses of varied architectural style and size. Properties on the north-west side are set in a linear build line, forming a soft edge to the Green Belt and settlement boundary to the rear.

4. Proposal

4.1 The scheme proposes the enlargement of the property Greymantle by way of a two-storey side extension and a part-single, part two-storey rear extension. The property would then be converted from a single dwelling into a pair of semi-detached properties (total 2 units). Each property would comprise three bedrooms.

4.1.1 The existing driveway would be split to provide two car parking spaces per unit. The development would incorporate private gardens and bin storage areas to the rear.

5. Relevant Planning History

- 4/00282/18/FUL CONSTRUCTION OF TWO 3-BED SEMI-DETACHED DWELLINGS AND REPLACE GARAGE WITH GATES (AMENDED SCHEME)
Refused
18/06/2018
- 4/02926/17/FUL CONSTRUCTION OF 2 SEMI-DETACHED DWELLINGS AND DEMOLITION OF EXISTING GARAGE TO CREATE SITE ACCESS
Refused
22/01/2018
- 01598/16/FHA DROPPED KERB
Granted
29/09/2016

6. Policies

6.1 National Policy Guidance

National Planning Policy Framework (NPPF)

Section 5 - Delivering a sufficient supply of homes
Section 12 - Achieving well-designed places

National Planning Policy Guidance (NPPG)

6.2 Adopted Core Strategy (CS)

NP1 - Supporting Development
CS1 - Distribution of Development
CS4 - The Towns and Large Villages
CS8 - Sustainable Transport
CS9 - Management of Roads
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS13 - Quality of Public Realm
CS17 - New Housing
CS18 - Mix of Housing
CS29 - Sustainable Design and Construction
CS35 - Infrastructure and Developer Contributions

6.3 Saved Policies of the Dacorum Borough Local Plan (DBLP)

Policy 10 - Optimising the use of Urban Land
Policy 18 - Size of New Dwellings
Policy 21 - Density of Residential Development
Policy 51 - Development and Transport Impacts
Policy 57 - Provision and Management of Parking
Policy 58 - Private Parking Provision
Policy 129 - Storage and Recycling of Waste on Development Sites
Appendix 1 - Sustainability Checklist
Appendix 3 - Layout and Design of Residential Areas
Appendix 5 - Parking Provision Appendices

6.4 Supplementary Planning Guidance/Documents (SPG/SPD)

Accessibility Zones for the Application of Car Parking Standards (2002)
Area Based Policies, Residential Character Area BCA19: Northchurch (2004)
Urban Design Assessment for Bovington (2006)
Manual for Streets (2010)
Planning Obligations (2011)
Roads in Hertfordshire, Highway Design Guide 3rd Edition (2011)
Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice (2011)

6.5 Advice Notes and Appraisals

Sustainable Development Advice Note (March 2011)

7. Constraints

- Large Village
- Adjacent to Green Belt

8. Representations

Consultation responses

8.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

8.2 These are reproduced in full at Appendix B.

9. Considerations

Main issues

9.1 The main issues to consider are:

- Principle of development
- Impact on residential amenity
- Impact on highway
- Impact on visual amenity

Principle of Development

9.2 As noted above, the application site lies within a designated residential area in the large village of Bovington where appropriate residential development is encouraged under Policies CS1 and CS4.

9.2.1 The NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development (Paragraph 49). The site is located within a designated residential area within the defined village of Bovington and would therefore accord with these objectives.

9.2.2 Policy CS17 seeks to promote residential development to address a need for additional housing within the Borough. The provision of new dwellings is supported in principle under Policy CS18.

9.2.3 The policy surrounding additional housing in a village and residential location as outlined above is given considerable weight in assessing the proposal.

9.2.4 The principle of increasing the number of residential units on the site is therefore acceptable under the above provisions.

Impact on Residential Amenity

9.3 The impact on the established residential amenity of neighbouring properties is a significant factor in determining whether the proposed development is acceptable. Policy CS12 states that, with regards to the effect of a development on the amenity of neighbours, development should avoid visual intrusion, loss of light and loss of privacy.

Visual Intrusion

9.3.1 Considering the distance between the two-storey rear extension and the boundaries of the adjacent properties (approximately 3.5m to Parkhurst and 6.8m to Ivydene), it is considered that the proposal will not result in any significant overbearing impact or visual intrusion.

9.3.2 The two-storey side extension would be sited closer to Parkhurst's boundary (1m). There is a single side-facing window, acting as a primary window for a bedroom at second-floor level. Although the built development would encroach further towards this window, it would not breach the 25-degree line from the mid-point of the window. Consequently, it is not felt that the window would suffer any detrimental impact in terms of visual intrusion.

Loss of Light

9.3.3 The daylight and sunlight tests normally used by Local Planning Authorities are set out in the Building Research Establishment (BRE) document 'Site Layout Planning for Daylight and Sunlight: A guide to good practice (2011)'. The BRE guide gives two helpful rules of thumb (25° or 45° tests) which determine whether or not further detailed daylight and sunlight tests are required.

9.3.4 Supporting information submitted by the applicant proves that the proposed build development would not breach the 25 or 45 degree lines from the mid-points of the neighbouring windows. Therefore, it is considered that there would be no significant loss of daylight or sunlight to the neighbouring properties.

Loss of Privacy

9.3.5 No loss of privacy would occur as a result of the proposed development. The number of windows and doors facing Ivydene would be reduced. The retained first-floor window on the elevation facing this neighbour would remain unobscured glazing. The ground-floor window on this elevation would be replaced with partially obscured glazing (up to 1.7m from floor-level).

9.3.6 The only first-floor window on the flank facing Parkhurst would also be obscure glazed up to 1.7m from floor level. A new ground-floor door is proposed on this elevation, which would face a blank wall.

9.3.7 The new windows proposed to the rear would not face any neighbouring windows. The proposal would therefore avoid unreasonable overlooking into windows or main areas of private open space and is felt to comply with CS Policy CS12.

Summary

9.3.8 The separation distances that have been achieved will help to ensure that there would be no significant adverse effects in terms of visual intrusion, overlooking or loss of privacy. With regards to residential amenity, the proposal accords with Policy CS12 (CS); saved Appendix 3 (DBLP); NPPF; and the aforementioned BRE lighting guidance.

Impact on Highway

Accessibility, Safety and Capacity

9.4.1 Policies CS8, CS9 and saved Policy 51 seek to ensure developments have no detrimental impacts in terms of highway safety. Hempstead Road is B4505, a secondary distributor road with 40mph speed limit near the location of the application site.

9.4.2 There are no visibility issues regarding the existing access junctions with Hempstead Road. There are no on-street parking restrictions, but neighbouring properties have adequate on-site parking provision. The traffic flow data along Hempstead Road near the vicinity of the site shows that the flow is fractionally higher than the Annual Average Weekday Flow for a “B” road in Hertfordshire.

9.4.3 The site currently has an entry and exit arrangement that enables the vehicles to enter and leave the site in forward gear. Following requests from Hertfordshire County Council, the applicant has provided computer generated swept path assessments for access/exit to/from the proposed parking spaces. Hertfordshire County Council Highways Department subsequently raised no objection to the scheme.

Parking

9.4.4 Policy CS12 seeks to ensure developments have sufficient parking provision. The NPPF states that if setting local parking standards authorities should take into account the accessibility of the development, the type, mix and use of the development, availability of public transport; local car ownership levels and the overall need to reduce the use of high emission vehicles.

9.4.5 Saved Policies CS8, 57 and 58 (and associated Appendix 5) of the Local Plan promote an assessment based upon maximum parking standards. This is not consistent with Policy CS12 and the NPPF and, accordingly, more weight is given to the ‘case by case’ approach to parking provision prescribed in National Policy and CS12.

9.4.6 In terms of parking provision, two spaces per dwelling are proposed. Each space will have minimum dimensions of 2.4m x 4.8m. The spaces have been positioned as to not obstruct sight lines. The proposal provides four in total, falling short of the Council’s maximum parking standards by 0.5 spaces. Considering the sustainable location of the site, it is not felt that the proposal could be refused on parking grounds alone.

Summary

9.4.7 The proposed development would provide a satisfactory parking layout that would result in no significant adverse impacts on highway safety or the free flow of traffic on the local highway network. Further, the proposed parking arrangements are considered to be acceptable and would not lead to additional parking demand being displaced onto the public highway. Overall, the proposals comply with Policies CS8, CS9 and CS12 (CS); saved Policies 57 and 58 (and associated Appendix 5) (DBLP); NPPF; and HCC’s Roads in Hertfordshire, Highway Design Guide (3rd Edition).

9.4.8 The recent allowed appeal case at Kitsbury Road referred to in Part 6 of the agenda provides a useful assessment in relation to parking requirements and the importance of the highway authority in the assessment of such proposals.

Impact on Visual Amenity

9.5 The proposed extensions to the detached dwelling would result in two semi-detached dwellings that would appear as one large dwelling on the street scene. Although the parking areas would be separated, only one entrance door would exist on the front of the property, with the other on the flank.

9.5.1 The proposed two-storey extensions would be finished in materials to match the main dwelling, erected level with the ridge height of the main dwelling and would follow the existing roof form to result in a positive relationship with the original dwelling.

9.5.2 The surrounding area is characterised mainly by detached and semi-detached dwellings as visible along the street scene and described in the supplementary planning guidance. However, it is noted that buildings within the street scene vary in appearance.

9.5.3 The proposed extension would be constructed flush with the existing front elevation, would retain a gap from the south-western boundary to prevent a cramped appearance within the site.

9.5.4 The resulting semi-detached dwellings are considered to remain in keeping with the appearance of the main property and wider street scene. The proposed semi-detached properties would therefore achieve a comfortable degree of compatibility within its context and would not appear unduly prominent. The semi-rural and suburban characteristics of the vicinity would be retained.

9.5.5 The above factors are considered indicative of a development that has responded positively to the character of the street scene and surrounding area that would accord with the aims of Policies CS11 and CS12.

10. Other Material Planning Considerations

Density

10.1 Reference should be made to the policy support for housing outlined in Section 9.2 and regard should also be given to the provisions of saved DBLP Policy 10 (together with other relevant policies guiding development, for example, Policies CS11 and CS12).

10.1.1 Saved Policy 10 states that (where relevant) general building development should be designed to achieve the maximum density compatible with the character of the area, surrounding land uses and other environmental policies in the plan. In particular, building development will be permitted if it makes optimum use of the land available, whether in terms of site coverage or height.

10.1.2 The application site lies within the area identified as a semi-rural zone within the Urban Design Assessment for Bovingdon (2006). In these areas a very low to low density is typical and ranges between dwellings per hectare. The proposed on-site density would equate to 18 dwellings per hectare (site area 1,085m² as measured on submitted site location plan), resulting in a density commensurate within the 'very low' range stipulated in the above guidance.

10.1.3 The design guidelines for the semi-rural zones set out that the recommended densities should generally be low to medium density and importantly the proposal would conform with this vision for this part of Bovingdon. This is echoed by saved Policy 21 of the Local Plan which also states densities should fall within this range.

10.1.3 It is important to note that numerical density is one factor and should be balanced against other considerations in order to determine whether the development would provide a satisfactory

design response to the surrounding area.

Layout

10.2 The existing building directly fronts Hempstead Road, set back from the pavement by a suitable distance of approximately 9m. This distance is similar to the neighbouring residential units, which display a fairly consistent build line to the road.

10.2.1 The plot width, measuring around 18m, is approximately over 9m wider than neighbours either side. The double width plot would allow for the building to be enlarged whilst maintaining sufficient space around the building (separation distances of 1m and 4.6m either side).

10.2.2 The proposed 1m separation distance between Greymantle and Parkhurst would not be uncommon within the context of the street scene. Rose Cottage and Glenhurst have both been enlarged with two-storey side extensions, leaving 1m separation distances between the properties and their boundaries. Glendale and Old Orchard House are similar. Parkhurst has extended at ground-floor level up to the boundary line.

10.2.3 Overall, the net increase in building footprint would not raise any concerns in this location. Spacing around the building and to its boundaries would be appropriate so that the semi-rural pattern of development is retained. There would be no significant encroachment of development within the rear portion of the site. As such, the proposal would maintain the gentle transition from the built form within the site to the field designated as Green Belt land to the north-west.

10.2.4 Turning to the living conditions of future occupiers the garden areas would be functional and of a depth and size compatible with those on Hempstead Road. The amenity space provision would exceed local standards and is further indicative of appropriate development on this plot.

Ecology

10.3 Hertfordshire Ecology responded to the application stating that they are “not aware of any notable ecological interest at this address but as modifications to the roof space are proposed, bats that rely on the property to roost or shelter could be adversely affected; bats are active in the area and probably forage around houses on Hempstead Road. Bats are protected under domestic and European law and, in general terms, it is an offence to disturb or harm a bat, or, damage or obstruct access to a roost.

10.3.1 However, the age, design and condition of the building suggest that the likelihood of bats roosting or sheltering in the building is slight and, therefore, a precautionary approach is appropriate.”

10.3.2 Therefore, they recommended that the following informative should be added to any consent:

10.3.3 “Bats and their roosts are protected at all times under domestic and European law. Works should proceed with caution, and in the event of bats or evidence of them being found, work must stop immediately and advice taken on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England: 0300 060 3900.”

Contamination

10.4 The Council's Environment and Community Protection Department has advised that the site is located within the vicinity of potentially contaminative former land uses. Consequently, there may be land contamination issues associated with this site. The Contamination Officer has therefore recommended that the standard condition be applied to this development should permission be granted. The standard conditions have been added to this recommendation

accordingly, which will ensure that there are no associated contamination risks.

Waste Management

10.5 Waste storage provision shall exist separately for each dwelling to the rear. The future occupiers would need to bring the bins to the front of the property on waste collection day, like the other properties on the street.

Response to Neighbour comments

10.6 The points raised by neighbours have been addressed above.

11. Other Matters

Planning Obligations

11.1 The proposed development falls within Community Infrastructure Levy (CIL) Zone 2 and does not fall within any of the CIL Reg123 exemptions. Therefore, the Council reserve the right to seek CIL contributions towards the provision of infrastructure as outlined in the R123 list through the appropriate channels. CIL Zone 2 requires £150 per square metre, subject to indexation.

Permitted Development Rights

11.2 Due to the increase in the scale of property it is felt that certain permitted development rights should be removed, specifically Schedule 2, Part 1, Classes A and B of the Town and Country Planning (General Permitted Development) (England) Order 2015. It is considered reasonable to remove permitted development rights for extensions to ensure that a functional amenity space remains to the rear. Furthermore, it is considered rational to remove permitted development rights for roof enlargements due to potential loss of light and visual intrusion that could occur to Parkhurst's second-floor flank window, previously mentioned in Section 9.3.2.

12. Conclusions

12.1 The proposal to extend and split the existing detached dwelling into a pair of semi-detached properties on this site would represent appropriate development. The proposal in its context and would not compromise the semi-rural characteristics of the locality and would not give rise to significant highway safety concerns. There would be no serious impacts on visual or residential amenity. As such, the development would be in accordance with the aims of the NPPF, Policies CS1, CS4, CS10, CS11, CS12, CS25, CS29 and CS31 of the Dacorum Core Strategy 2006-2031, saved Policies 10, 13, 18, 21, 51, 54, 58 and 99 of the Dacorum Borough Local Plan 1991-2011 and the other associated guidance mentioned within this report.

13. RECOMMENDATION – That planning permission be **GRANTED** for the reasons referred to above and subject to the following conditions:

Conditions/Reasons for Refusal

No	Condition
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/documents:

	<p>PS1A - Proposed Site Plan PE1 - Proposed Elevations PE2 - Proposed Elevations PF1 - Proposed Floorplans</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>
3	<p>The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match in size, colour and texture those used on the existing building.</p> <p>Reason: To ensure a satisfactory appearance to the development in accordance with Policy CS12 of the Dacorum Borough Core Strategy 2013.</p>
4	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) (Order) 2015 as amended (or any Order amending or re-enacting that Order with or without modification) no development within Schedule 2, Part 1, Classes A and B shall take place to the new dwelling hereby approved or within its curtilage.</p> <p>Reason: To enable the local planning authority to retain control over the development in the interests of safeguarding the character of the area, in accordance with Policy CS12 of the Dacorum Core Strategy 2013.</p>
5	<p>No development 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:</p> <p>hard surfacing materials; means of enclosure; soft landscape works 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; proposed finished levels or contours.</p> <p>The approved landscape works shall be carried out prior to the first occupation of the development hereby permitted.</p> <p>Reason: To ensure a satisfactory appearance to the development, to safeguard the visual character of the immediate area, and in the interests of highway safety in accordance with Policies CS12 and CS25 of the Dacorum Core Strategy 2013.</p>
6	<p>All planting, seeding or turfing and soil preparation comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following first occupation of the building; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written approval to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development in accordance with Policies 99 and 100 of the Dacorum Local Plan 2004.</p>
7	<p>Prior to first occupation of the dwelling hereby approved, all on site vehicular areas shall be surfaced in permeable paving or tarmacadam or similar durable bound material. Alternatively, other measures and arrangements shall be made for surface</p>

	<p>water and gravel from the site to be intercepted and disposed of separately so that it does not discharge into the highway.</p> <p>Reason: In the interest of highway safety, in accordance with Policies CS8 and CS9 of the Dacorum Core Strategy 2013 and Policy 51 of the Dacorum Local Plan 2004.</p>
8	<p>No development, shall take place until a Phase I Report to assess the actual or potential contamination at the site has been submitted to and approved in writing by the local planning authority. If actual or potential contamination and/or ground gas risks are identified, further investigation shall be carried out and a Phase II report shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development. If the Phase II report establishes that remediation or protection measures are necessary, a Remediation Statement shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>For the purposes of this condition:</p> <p>A Phase I Report consists of a desk study, site walkover, conceptual model and a preliminary risk assessment. The desk study comprises a search of available information and historical maps which can be used to identify the likelihood of contamination. A simple walkover survey of the site is conducted to identify pollution linkages not obvious from desk studies. Using the information gathered, a 'conceptual model' of the site is constructed and a preliminary risk assessment is carried out.</p> <p>A Phase II Report consists of an intrusive site investigation and risk assessment. The report should make recommendations for further investigation and assessment where required.</p> <p>A Remediation Statement details actions to be carried out and timescales so that contamination no longer presents a risk to site users, property, the environment or ecological systems.</p> <p>Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CS32 of the Core Strategy 2013.</p>
9	<p>All remediation or protection measures identified in the Remediation Statement referred to in Condition 8 above shall be fully implemented within the timescales and by the deadlines as set out in the Remediation Statement and a Site Completion Report shall be submitted to and approved in writing by the local planning authority prior to the first occupation of any part of the development hereby permitted.</p> <p>For the purposes of this condition: a Site Completion Report shall record all the investigation and remedial or protection actions carried out. It shall detail all conclusions and actions taken at each stage of the works including validation work. It shall contain quality assurance and validation results providing evidence that the site has been remediated to a standard suitable for the approved use.</p> <p>Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CS32 of the Core Strategy 2013.</p> <p>Highways Advisory Notes</p>

AN1) Construction standards for new/amended vehicle access: Where works are required within the public highway to facilitate the new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047.

AN2) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

AN3) Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

AN4) Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, 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 to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

Contamination Advisory Notes

AN1) The NPPF states that all site investigation information must be prepared by a competent person. This is defined in the framework as 'A person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation.'
Contaminated Land Planning Guidance can be obtained from Regulatory Services or via the Council's website www.dacorum.gov.uk

AN2) In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority with all works temporarily suspended because, the safe development and secure occupancy of the site lies with the developer.

<p>Environmental Health Advisory Notes</p> <p>AN1) The attention of the applicant is drawn to the Control of Pollution Act 1974 relating to the control of noise on construction and demolition sites.</p> <p>Ecology Advisory Notes</p> <p>AN1) Bats and their roosts are protected at all times under domestic and European law. Works should proceed with caution, and in the event of bats or evidence of them being found, work must stop immediately and advice taken on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England: 0300 060 3900.</p>

Appendix A

Consultation Responses

Hertfordshire Property Services

Herts Property Services do not have any comments to make in relation to financial contributions required by the Toolkit, as this development is situated within Dacorum CIL Zone 2 and does not fall within any of the CIL Reg123 exclusions. Notwithstanding this, we reserve the right to seek Community Infrastructure Levy contributions towards the provision of infrastructure as outlined in your R123 List through the appropriate channels.

I trust the above is of assistance if you require any further information please contact me or the planning obligations team (growth@hertfordshire.gov.uk).

Bovingdon Parish Council

No objection in principle to two semi-detached properties but current proposals do not provide sufficient parking. If the whole width of the plot was utilised for this proposal then adequate parking could be provided and it would not overlook Parkhurst as the current proposals do.

Comments on amended plans

The amended plan merely deals with the parking and manoeuvring of vehicles, and is in our view still unsatisfactory. Please see our earlier submissions on this scheme.

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 recommends that permission be refused for the following reasons:

The Highway Authority recommends the application to be refused on inadequate information on potential intensification of the development of the site and use of the existing access arrangement which was designed and built for a single dwelling with two car parking spaces.

Application Site:

The application site is Greymantle, Hempstead Road, Bovingdon, HP3 0HP. Greymantle is a detached property with some landscaped area and parking in front. It has an entry and exit arrangement which enable the vehicles to enter and leave the site in forward gear.

Hempstead Road is B4505, a secondary distributor road with 40mph speed limit near the location of the application site. There are no visibility issues regarding the existing access junctions with Hempstead Road. There are no on-street parking restrictions, but all properties have adequate on-site parking provision. Highway capacity and safety The traffic flow data along Hempstead Road near the vicinity of the site shows that the flow is fractionally higher than the Annual Average Weekday Flow for a "B" road in Hertfordshire.

Existing Access arrangement

It has an entry and exit arrangement which enable the vehicles to enter and leave the site in forward gear. Hertfordshire County Council vehicle crossover guidance is not to allow separate entry and exit for a single dwelling unless there is a safety concern. The existing arrangement at Greymantle was offered only for vehicles to enter and exit the site in forward gear and it was in the interest of highway safety.

Planning History

Proposed Front Application

Applicant is in discussion with the planning authority to redevelop the existing Greymantle Site. This planning application is for demolition of existing garage and side/rear extension and construction of two –storey side extension and part single, part two storey rear extension; conversion from single dwelling into a pair of semi-demi detached properties (total 2 units). The applicant proposal is to provide a total of 4 car parking spaces two spaces for each property. The parking spaces are to be provided at the front of the property. The parking layout shows that all vehicles either need to reverse in or reverse out on to the public highway. This proposal is an intensification on the use of the existing access. Considering the application in isolation, the highway response was as below:

The applicant has failed to show that there is sufficient manoeuvring space to allow vehicles to enter and leave the site in forward gear.

The applicant is required to provide computer generated swept path assessments of the proposed development for the internal layout and for new site access arrangements to ensure that servicing, refuse, and emergency vehicles can access the development site.

Computer-generated swept path assessments are also required for the proposed parking spaces to demonstrate that the largest vehicles intended to access the parking spaces can safely access and egress in a forward gear.

Rear Development Application

The rear development proposal is to provide two chalet Bungalows on a land rear to Greymantle. The proposal also includes additional 4 parking spaces. The key issue is the internal layout. The applicant is proposing to provide 4 car parking spaces. Is it feasible to manoeuvre in/out of parking spaces safely? This application is also considered in Isolation.

Impact of Combined Development

Each application is considered in isolation, but the proposal is to use the existing access/egress which was permitted for a single dwelling with potential for 2 car. The combined development will result in minimum of 8 car parking spaces with a conflicting entry and exit access arrangement. This is a significant intensification on the use of existing site and access/egress arrangement. There is no law against how many cars an individual or property could own. After construction of the developments the owner/occupiers may decide to own more than allocated parking spaces.

Conclusion

It is important that the applicant should take a holistic approach in the development of the whole site in the interest of people living in the development and the impact on local highway network. The proposed development of the existing dwelling and the proposed development at the rear of the property should be supported by a Transport statement setting out a. Proposed intensification of the use of the site against existing situation b. Proposed peak hour trip generation and the potential impact on the local road network c. Computer-generated swept path assessments for the access arrangements, particularly for the access adjacent to the existing garage which is likely to be used by 6 vehicles. d. Conflicting internal vehicular movements. e. The proposals should be supported by a stage 1 safety audit f. Accessibility to the site by all modes of transport. The development is residential neighbourhood, but the proposal is a significant intensification when compared to existing.

Recommendation

The highway authority recommends the application to be refused for the above reasons.

Further comments

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 recommends that permission be refused for the following reasons:

The highway response is same as the previous response for the above application. In transport terms this application should be considered in conjunction the applicant's proposed development at the rear of the property, bus using the same access and egress.

Comments on amended plans

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 subject to the following conditions:

Condition 1:

Before being brought in to use the new parking areas hereby approved shall be either surfaced in permeable paving or surfaced in tarmacadam or similar durable bound material or other measures and arrangements shall be made for surface water or gravel from the site does not discharge in to highway.

Reason: To safeguard the interest of highway safety.

Advisory Note.

Informative:

I recommend inclusion of the following advisory note to ensure that any works within the highway are to be carried out in accordance with the provisions of the highway Act 1980.

New or amended crossover – construction standards

AN1) Construction standards for new/amended vehicle access: Where works are required within the public highway to facilitate the new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and

specification, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047.

Storage of materials

AN2) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspxor> by telephoning 0300 1234047.

Obstruction of the highway

AN3) Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

Mud on highway

AN4) Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, 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 to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

Application Site :

The application site is Greymantile , Hampstead Road, Bovingdon HP3 0HP. Greymantile is a detached property with some landscaped area and parking in front. It has an entry and exit arrangement which enable the vehicles to enter and leave the site in forward gear.

Hampstead Road, Bovingdon. Hampstead Road is B4505, a secondary distributor road with 40mph speed limit near the location of the application site. There are no visibility issues regarding the existing access junctions with Hampstead Road. There are no on-street parking restrictions, but all properties have adequate on-site parking provision. Highway capacity and safety The traffic flow data along Hampstead Road near the vicinity of the site shows that the flow is fractionally higher than the Annual Average Weekday Flow for a "B" road in Hertfordshire.

Proposed Application

Applicant is to redevelop the existing Greymantle Site. This planning application is for demolition of existing garage and side/rear extension and construction of two –storey side extension and part single , part two storey rear extension; conversion from single dwelling into a pair of semi-demi detached properties. (Total 2 units) . The applicant proposal is to provide a total of 4 car parking spaces two spaces for each property. The parking spaces are to be provided at the front of the property.

The parking layout shows that vehicles either need to reverse in or reverse out on to the public highway. Altering the existing entry/exit arrangement for vehicles to enter and leave the site in forward gear is a disadvantage on the existing use of the site. The applicant proposal is not to alter the existing access/egress arrangement.

Recommendation:

The applicant is proposing to add two residential units on the land rear of Greymantle. Highway Authority has concern over the combined impact of the traffic movement at the access/egress points. However, there is no permitted development on land at the rear of the site. Considering the current application in isolation, the Highway Authority does not wish to restrict the grant of consent.

Environmental and Community Protection

Thanks for contacting the Pollution and Environmental Protection Team in respect of the above planning application 4/01390/18/FUL for the demolition of existing garage and side/rear extensions and construction of two-storey side extension and part single, part two-storey rear extension; conversion from single dwelling into pair of semi-detached properties (Total 2 Units).

Please be advise that we have no objection to the proposed development as it relates to Noise, Air Quality and land contamination.

However, with the proposed development located in between 60 – 100m of two former contaminated land use i.e. former petrol station and a garage, the following planning conditions and informative are recommend should planning permission be granted.

1a). Contaminated Land Condition

No development, shall take place until a Phase I Report to assess the actual or potential contamination at the site has been submitted to and approved in writing by the local planning authority. If actual or potential contamination and/or ground gas risks are identified, further investigation shall be carried out and a Phase II report shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development. If the Phase II report establishes that remediation or protection measures are necessary, a Remediation Statement shall be submitted to and approved in writing by the Local Planning Authority.

For the purposes of this condition:

- A Phase I Report consists of a desk study, site walkover, conceptual model and a preliminary risk assessment. The desk study comprises a search of available information and historical maps which can be used to identify the likelihood of contamination. A simple walkover survey of the site is conducted to identify pollution linkages not obvious from desk studies. Using the information gathered, a 'conceptual model' of the site is constructed and a preliminary risk assessment is carried out.

- A Phase II Report consists of an intrusive site investigation and risk assessment. The report should make recommendations for further investigation and assessment where required.
- A Remediation Statement details actions to be carried out and timescales so that contamination no longer presents a risk to site users, property, the environment or ecological systems.

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.

1b). All remediation or protection measures identified in the Remediation Statement referred to in Condition 1a above shall be fully implemented within the timescales and by the deadlines as set out in the Remediation Statement and a Site Completion Report shall be submitted to and approved in writing by the local planning authority prior to the first occupation of any part of the development hereby permitted.

For the purposes of this condition: a Site Completion Report shall record all the investigation and remedial or protection actions carried out. It shall detail all conclusions and actions taken at each stage of the works including validation work. It shall contain quality assurance and validation results providing evidence that the site has been remediated to a standard suitable for the approved use.

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32 and the NPPF (2012).

Informative:

Paragraph 121 of the NPPF states that all site investigation information must be prepared by a competent person. This is defined in the framework as 'A person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation.' Contaminated Land Planning Guidance can be obtained from Regulatory Services or via the Council's website www.dacorum.gov.uk

2). Construction Management Plan Condition

No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The plan should consider all phases of the development.

Therefore, the construction of the development shall only be carried out in accordance with the approved Construction Management Plan which shall include details of:

- a) Construction vehicle numbers, type, routing
- b) Traffic management requirements
- c) Construction and storage compounds (including areas designated for car parking)
- d) Siting and details of wheel washing facilities
- e) Cleaning of site entrances, site tracks and the adjacent public highway
- f) Timing of construction activities to avoid school pick up/drop off times
- g) Provision of sufficient on-site parking prior to commencement of construction activities
- h) Post construction restoration/reinstatement of the working areas and temporary access to the public highway.
- i) Construction or Demolition Hours of Operation
- j) Dust and Noise control measure
- k) Asbestos control measure where applicable

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way, in accordance with Core Strategy (2013) Policy CS8.

3). Un-expected Contaminated Land Informative

In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority with all works temporarily suspended because, the safe development and secure occupancy of the site lies with the developer.

4). Noise on Construction/Demolition Sites Informative

The attention of the applicant is drawn to the Control of Pollution Act 1974 relating to the control of noise on construction and demolition sites.

I hope the above clarify our position on the submitted application?

Should you have any further query in respect of the application, please do not hesitate contact me on Ext 2719 quoting Flare reference 555281.

Bovingdon Action Group

BAG has no objection in principle to two semi-detached properties on this site; however this proposal does not provide the required parking and there is no on street parking in this area. To make matters worse the proposed access to and from the very busy Hempstead Road is unsafe. Had the entire width of the property been fully utilised then parking and access would not be a problem.

We also request that if the parking problem can be resolved, by condition, construction of a third housing unit / inappropriate backland development on the site is prohibited as based on the current 'site and block plan' that has been submitted and the two rejected applications this continues to be a core objective of the applicant.

Ecology

I am not aware of any notable ecological interest at this address but as modifications to the roof space are proposed, bats that rely on the property to roost or shelter could be adversely affected; bats are active in the area and probably forage around houses on Hempstead Road. Bats are protected under domestic and European law and, in general terms, it is an offence to disturb or harm a bat, or, damage or obstruct access to a roost.

However, the age, design and condition of the building suggest that the likelihood of bats roosting or sheltering in the building is slight and, therefore, a precautionary approach is appropriate. Consequently, I recommend that the following **Informative** should be added to any consent:

“Bats and their roosts are protected at all times under domestic and European law. Works should proceed with caution, and in the event of bats or evidence of them being found, work must stop immediately and advice taken on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England: 0300 060 3900.”

Appendix B

Neighbour Notification/Site Notice Responses

Rose Cottage, Hempstead Road, Bovingdon, HP3 0HF

We write as the owners of 'Rose Cottage' whose garden runs into the back of 'Greymantle'.

We understand that a further planning application has been received, although we received no notification from Dacorum Borough Council of application 4/001390/18/FUL. Furthermore, in addition to the previous 'refused' applications (4/02926/17/FUL and 4/00282/18/FUL) there has once again been no consultation offered by the applicant.

Further to planning application 4/001390/18/FUL we wish to object on the basis there is insufficient information submitted within the planning application to form a qualified opinion.

The plans submitted do not include scale, elevation or directional detail. There is no indication of the materials to be used or any indication of its general appearance in relation to the character of the current property and those of neighbouring properties.

The drawings have not been produced by a qualified architect and are of very poor quality.

'Greymantle' is an impressive and imposing property and the plans submitted do not provide any reassurance that the development will be sympathetic to the property and its environment.

We also have reservations regarding the proposed parking for two 3-bedroom properties. We assume that vehicles will be parked on a driveway to the front of the property, however as we know from our own personal experience, there is insufficient space for turning where there are 2 cars on the driveway. Although Hempstead Road is a 30mph zone, many cars accelerate hard from the roundabout and frequently travel past these properties at 40 – 50mph as there is no policing or speed cameras. Trying to reverse into or out of these driveways is always high risk and such an arrangement for a new development must surely be considered highly unsatisfactory.

There is also no detail of the garden and landscaping arrangements for the proposed two dwellings. The applicant has already caused significant distress and permanent damage to the boundary hedges and trees, to include the removal of an impressive cherry tree.

For the record, we are not averse to appropriate development and conversion of 'Greymantle' into two dwellings of a semi-detached nature. However, such development must be appropriate to its environment and be of a high standard, both in terms of design and materials utilised. The current application falls short.

We also ask for your confirmation, that should permission be granted for development of Greymantle into a semi-detached property, that there will be no further development permitted on this site, as this is clearly something of an intent based on the applicants two previous rejected applications.

Parkhurst, Hempstead Road, Bovington, HP3 0HF

Firstly, we received no correspondence from the council about this application.

We object to this development on the basis that it still retains the right to build a dwelling in the garden which in our opinion is over development of this property and garden infill which we have previously strongly objected to.

The development of Greymantle into two semi-detached properties is in itself a sensible proposal however we have a few points to raise:

- the plans still allow for the over development of the garden.
- the front door on the left-hand property is just 1 metre from our boundary which seems insufficient.
- we prefer for the chimney breasts to be retained to retain consistency with other properties on

the road.

- the plans do not appear to be completely to scale so we advise the thorough checking of the measurements.
- greater clarification of the parking and driveway at the front would be good.
- privacy and boundary wall next to Ivydene to be maintained.

Ivydene, Hempstead Road, Bovington, HP3 0HF

Introduction

We are the owners of the house known as 'Ivydene' and as immediate neighbours to the proposed development.

For the record neither us or the other immediately adjoining owners, Parkhurst, received letters of notification from Dacorum Borough Council of this application ("the current application"). In addition, there has again been a woeful lack of consultation by the applicant with ourselves, or any other neighbour, about this proposal.

We refer to our previous letters dated 30th November 2017 & 2nd March 2018 in connection with previous applications reference 4/02926/17/FUL ("the Original Application") & 4/00282/18/FUL ("the Amended Scheme" which were refused by Decision Notices dated 22 January 2018 and 18th June 2018 respectively. Our earlier letters set out our objections to the Original & Amended Schemes in detail. The matters raised in this letter are in addition to and supplement to those raised in our previous letters which also apply in many respects to the current application.

We OBJECT to the current application primarily on the basis that the applicant is retaining the option to develop the land to the side/rear of the Greymantle which would be contrary to Policy CS10 and harm the open and green character/appearance of the area and soft edge that exists between the between the built-up environment and the Green Belt which immediately adjoins this site.

We would have no objection in principle to a sympathetic conversion of Greymantle into two semi-detached houses provided that such an application does not leave the possibility of additional backland development, which in addition to the reasons for refusal set in the previous Decision Notices would constitute a gross overdevelopment of the site.

It is plain to see that both the Original Application and the Amended Application were contrived to try and develop a site which is wholly unsuitable for development. The backland site should be incorporated into the plots for the semi-detached houses to be created from the conversion of the main property. This is the only way to make them viable and attractive family homes suited to the village surroundings and preserving the soft landscape adjoining Green Belt land.

However, the current application as it stands is inadequate and like the earlier applications lacks many essential details.

Accordingly, it is requested that the current application as it stands should be refused.

Turning to the substance of this application as currently presented, if it is not refused on the above basis then: -

We OBJECT on the grounds of; -

- Overlooking/loss of privacy

- Adequacy of turning/parking and highway/access problems.
- Detrimental impact upon residential amenities
- Design, appearance and type of materials
- Loss of Light or Overshadowing

In addition to which there are several other matters which must be taken into account when considering this proposal.

Summary of Planning Policy Considerations

Applications for development should be considered in terms of national and local planning policy. In this regard there is a considerable quantity of planning policy to which regard must be had in the consideration of this particular application, but we summarise some of the main points below:

a) National Position

Relevant National Planning Policy appears in the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) of March 2014 onwards. Attention is drawn to the following:

- *“Local planning authorities must determine planning applications in accordance with the statutory Development Plan “, as well as other material considerations, such as statements of Government policy, including the NPPF (NPPF paragraphs 2, 11 & 210 and the NPPG).*
- According to paragraph 14 of the NPPF *“at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking”*. The Planning System should facilitate sustainable patterns of development and provide for new development in a way which is consistent with the aim of enhancing ‘quality of life’. Planning plays an ‘environmental’ role in relation to protecting the built environment and it is one of the *“Core planning principles”*, underpinning decision making that the planning system always ought to *“seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings”* (throughout the NPPF, see paragraphs 7 & 17).
- The NPPF says that outcomes of planning affect everyone and full involvement of the community is essential to the achievement of sustainable development and inclusive communities. It continues *“the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Local planning authorities should create a shared vision with communities of the residential environment and facilities they wish to see. To support this local planning authorities should aim to involve all sections of the community in the development of Local Plans and in planning decisions”*. According to the NPPF, *“applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community. Proposals that can demonstrate this in developing the design of the new development should be looked on more favourably”*. Consultees’ views are also *“important”* according to the NPPG and as they *“may be able to offer particular insights or detailed information which is relevant to the consideration of the application”* (NPPF, paragraphs 66 & 69 and NPPG IDs 15-003-20140306 & 15-007-20140306: Last updated 06 03 2014).

- Although there is a drive to boost housing development within the NPPF, this should not be at the cost of the living conditions or amenities of existing residents. Annex 2 of the NPPF defines what is meant by ‘previously developed land’, but the definition does not include “*private residential gardens*”.
- More generally, “*the Government attaches great importance to the design of the built environment. Good design [which goes beyond just ‘aesthetic considerations’] is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people*”. Development of poor quality “*should be refused*” and “*local distinctiveness*” should be promoted and reinforced. The message regarding the importance of design, the promotion of local character and the reinforcement of patterns of development also appears in the NPPG. The NPPG states that “*the successful integration of all forms of new development with their surrounding context is an important design objective, irrespective*” of its location. Beneath the title “*why does good design matter?*” the NPPG states “*Good quality design is an integral part of sustainable development*”. The Guidance continues “*the National Planning Policy Framework recognises that design quality matters and that planning should drive up standards across all forms of development. As a core planning principle, planmakers and decision takers should always seek to secure high quality design. Achieving good design is about creating places, buildings, or spaces that work well for everyone, look good, last well, and will adapt to the needs of future generations. Good design responds in a practical and creative way to both the function and identity of a place. It puts land, water, drainage, energy, community, economic, infrastructure and other such resources to the best possible use – over the long as well as the short term*”. Accordingly, “*good design should: ensure that development can deliver a wide range of planning objectives, enhance the quality buildings and spaces, by considering amongst other things form and function; efficiency and effectiveness and their impact on wellbeing address the need for different uses sympathetically*”. “*Design and Access Statements provide a flexible framework for an applicant to explain and justify their proposal with reference to its context*” (NPPF, paragraphs 56, 60, 61 & 64 & NPPG Section IDs 18a-012-20140306, 26-001-20140306; 26-002-20140306 & 26-007-20140306: Last updated 06 03 2014).
- Paragraph 32 of the NPPF requires “*safe and suitable access to the site can be achieved for all people*”.

b) Development Plan Policy

The ‘Development Plan’ for the area is made up of the remaining ‘saved’ policies of the Dacorum Borough Local Plan (DBLP) which was adopted in 2004 and the Dacorum Core Strategy (DCS) adopted 2013. The application site falls within the scope of Bovingdon Village, although the subject land immediately adjoins the Green Belt boundary.

DCS Policy NP1 “*Supporting Development*” states that the Council “*will take a positive approach to the consideration of development proposals, reflecting the presumption in favour of sustainable development contained in the National Planning Policy Frameworkproposals which accord with the development plan will be brought forward and approved unless material considerations indicate otherwise*”. A ‘footnote’ to this policy advises that “*planning permission can be refused if:- there are specific policies in the National Planning Policy Framework (NPPF) which indicate development should be restricted, or there are adverse impacts which would demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole*”.

DCS Policy CS4, entitled “*The Towns and Large Villages*” covers Bovingdon and states “*in residential areas appropriate residential development is encouraged*” [our underlining].

In relation to the “*Density Of Residential Development*”, DBLP Policy 21 states “*for sites at the edge of an urban area, special attention will be paid to the effect of development density on open countryside and views. In such locations proposals will be expected to retain existing trees and hedges and incorporate appropriate landscaping in order to achieve a soft edge to the countryside*”.

“*Infrastructure Provision And Phasing*” is covered by DBLP Policy 12 and states that account will be taken of local infrastructure capacity to accommodate new development. “*Development will be permitted where it can be clearly demonstrated that the necessary infrastructure already exists or can be provided, at reasonable cost and without adverse economic, environmental or social impact, prior to the occupation of the development*”

DCS Policies CS10 (“*Quality of Settlement Design*”), CS11 (“*Quality of Neighbourhood Design*”) and CS12 (“*Quality of Site Design*”) all require a high quality of design in new development. In particular, development should “*respect defined countryside borders and the landscape character surrounding the town or village; reinforce the topography of natural landscapes and the existing soft edges of towns and villages....respect the typical density intended in an area and enhance spaces between buildings and general character...*”.

According to these three policies, each individual development should also:

“provide a safe and satisfactory means of access for all users; avoid visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to the surrounding properties; retain important trees or replace them with suitable species if their loss is justified; plant trees and shrubs to help assimilate development and softly screen settlement edges”.

DCS Policy CS9 (“*Management of Roads*”) and DBLP Policy 51 (“*Development and Transport Impacts*”) both say that special care will be paid to the effect of development upon the “*safety and environmental character of country lanes*”. DBLP Policy 58 “*Highway Design*” expects current national and local standards for highway design, access and servicing to be met by new development. Policy 58 also normally expects residential “*Private Parking Provision*” to be met on site.

The Council produced Supplementary Planning Guidance (SPG) regarding “*Development in Residential Areas*” and although it is only intended to relate to the Borough’s established towns (and not the villages), it is interesting for what it says at paragraph 2.6.5, regarding “*tandem development*”. The SPG notes that although this is “*a common form of backland development...[it is] certainly the most inefficient, problematic and unsatisfactory....It is the Council’s view that this is a generally unsatisfactory form of accommodating new housing*”.

In the light of the above policy, our specific objections and concerns to this application as it stands are as follows:

- Overlooking/loss of privacy

The demolition of the garage will cause an issue for us on overlooking and loss of privacy. The garage wall currently forms the boundary wall between Ivydene and Greymantle. It is a substantial brick-built wall which supports our fence and gate separating the front of our property from the garden/amenity space at the rear.

The current application lacks any detail about what boundary features are to replace the garage and the boundary wall it creates. It should be of a similar nature in substance and height to the existing brick wall (currently measuring 2.26 metres) to provide us with the same security and privacy that we have at present. We have other issues concerning the demolition of the garage and safety of those works which we shall discuss further below under the heading Other Matters.

Although under the new plans there are less windows on “our side” of Greymantle we would like the side window on the first floor to be either fully or partially obscured glass, like that on the ground floor to prevent overlooking. It appears that the proposed new window will be larger and be in a bedroom which will have more use than the existing side/rear bedroom window. Currently, the small bedroom window serves a small side/rear bedroom of a large five-bedroom single property as opposed to a small three-bedroom house which will no doubt be fully occupied. The only other window currently on the first floor of Greymantle serves the main bathroom and is therefore obscured glass.

There are also proposed to be several other new windows to the rear of Greymantle where at present there is only one overlooking our garden to the rear. Our garden is raised and the boundary wall (which is Greymantle’s responsibility) should be extended in height for the privacy of both us and the occupants of the new properties as it is not sufficient at present.

The design of the proposed development in the current application as it stands does not afford adequate privacy for us or of adjacent residential properties, particularly regarding ours and their right to the quiet enjoyment of garden amenities. The outcomes of planning affect everyone and the Planning System plays an important part in creating healthy and inclusive communities (NPPF, paragraphs 66 & 69). Notwithstanding the NPPF’s ‘expectation’ (see paragraph 65) that applicants work closely with those affected by their proposals there has been a woeful lack of consultation by the applicant with ourselves, or any other neighbour, about this proposal.

1. Adequacy of parking/turning & highway/access problems

The current application lacks detail in showing exactly how the frontage of Greymantle will accommodate the parking and turning arrangements that the applicant describes in the Design and Access Statement.

The Design and Access Statement details four off-road parking spaces to serve the newly formed semi-detached properties. We believe that the proposed development does not provide sufficient parking spaces to meet its actual requirements. There is insufficient parking for two, three-bedroom houses, which require at least 2.25 spaces each making a total of 4.5/5 spaces.

Under the current driveway arrangement i.e. a carriage driveway and existing access points there is not room for four or five cars to park and individually turn to exit the driveway in forward gear, which is required as Hempstead Road is a classified B road. Use of both access points together is required for this to be achieved. Even if there was space for four or five cars the occupants of a single property would be able to manoeuvre the cars to exit the driveway by agreement amongst themselves. This will

not be possible for two separate households to arrange. Therefore, the applicant must have some changes in mind for the driveway and access point serving each property and exactly how this would work in practice. No information or measurements are detailed in the plans, so how can such statements or arrangements be properly assessed by the planning authority or Highways?

Each of the proposed properties is 6 metres in width according to the plans provided. The idea of a 6-metre turntable (in addition to four parking spaces) shows the desperation of the applicant to a situation which is impossible to deal with. It is not a suitable solution at all. It will be noisy and inconvenient for our neighbours at Parkhurst, the occupiers of the new semi-detached properties and us and other neighbours. It is more suitable to an underground car park in a built up urbanised area of Central London rather than a modest house in Bovington.

The other suggestion that the semi-detached house on the right-hand side can use the space created by removal of garage to turn within and exit in forward gear is unrealistic as that space is only four metres wide, which is the same as the adjacent part of our driveway which does require all the space in front of our house to be used to turn and exit our own drive in forward gear. There is not enough room outside the right-hand house for such turning arrangements plus two parking spaces. In previous applications the applicant has suggested that the garage be replaced by solid wooden gates and the remainder used to form an access road to any proposed development at the rear, making this space unavailable for use in any event unless the idea of any development at the rear is abandoned.

From our own experience, Highways only allow 6 kerbstones per access point, per property, therefore a driveway cannot be created across the full width of Greymantle to allow cars to individually reverse out into Hempstead Road using all the spaces the applicant describes. As a result, the applicant needs to demonstrate to the planning authority and Highways that there is sufficient space for parking and turning within the frontage of Greymantle. The applicant has not demonstrated at all how the parking and turning is workable on the driveway using the current access points. It is the responsibility of the applicant to provide to the planning authority proper details of parking provision and whether there will be any impact on the highway. In this case the applicant says he is providing 4 spaces. But it is not clear whether they are compliant in terms of size and dimensions for parking spaces/bays under the Saved Appendices which deal with such matters. It is Highways responsibility to check whether the parking spaces and driveways are compliant with their relevant policies.

The very basic plans submitted with the application do not show how the access to the busy Hempstead Road is to be formed, in relation to visibility splays and sight lines and therefore it is unknown whether a safe and workable access can be made to serve two properties in place of one single property (see NPPF, paragraph 32 as well as the

Development Plan in policies such as DCS CS9, CS10, CS11 & CS12 or DBLP 51 & 58).

There is no availability of on street parking. The proposal reduces the amount of legitimate car parking on the site to an unacceptable level. Insufficient parking space will adversely affect the amenity of surrounding properties through roadside and pavement parking on Hempstead Road, a very busy and overused B road which reduces the available road width to the detriment of road safety.

The increased demand that the proposed new semi-detached houses would add combined with the restricted turning and access arrangements outlined above, will present a serious threat to highway safety.

2. Detrimental impact upon residential amenities

To be considered sustainable development must be consistent with the NPPF's core aim of enhancing "*quality of life*".

The applicant's proposed development of the entire site will almost certainly have a detrimental effect on our residential amenities. The noise, light, pollution and disturbance resulting from use will be detrimental to our use and enjoyment of our home and garden. There will be a considerable increase in noise and disturbance from use if the single plot which currently exists is turned into even two or three households.

is To attempt to make four or even three properties out of a single modest plot of land quite clearly a gross overdevelopment of the site. This is demonstrated by the fact that the proposed garden amenity space for the proposed semi-detached properties is pitiful and inadequate and not suitable for three-bedroom family homes.

family The development of three-bedroom family homes require significantly larger garden space than is proposed as detailed in Saved Appendix 3 of the Local Plan 2004 which outlines a minimum depth of 11.5 metres, with a larger garden depth required for homes.

detail The proposed gardens of each of the semi-detached properties appear (again no is provided in the plans) to be only 72 m², 12 metres in depth (bare minimum) that the applicant describes in the Design and Access Statement and a width of approximately 6 metres i.e. the width of the proposed houses according to the scale on the plans provided. Such a garden would only be suitable for a one or two-bedroom cottage, not a three-bedroom family home.

gardens The gardens are not comparable with anything else on Hempstead Road. The are only half the size of our small garden which is 141 m² including our patio area and

semi- detached houses. As you know the majority of the gardens on Hempstead Road including Parkhurst, Homeland and Purbeck incorporate the strip of land to the rear of the properties which was sold in the 1960's and so are at least twice the length of the proposed gardens.

still The new gardens would benefit from the addition of the garden land to the rear up to the Green Belt boundary, which would also have the benefit of preserving the soft edge of the countryside/greenbelt under Policy CS10. The gardens would only be equal in length to most of the other properties on Hempstead Road. The existing garden land behind all of the properties on Hempstead Road including Greymantle, Ivydene and Rose Cottage acts as a visual buffer between the open countryside/Green Belt land at the linear building pattern on Hempstead Road and should therefore be preserved as garden land at all cost.

There is no indication of where the refuse/bins are to be stored on the proposed development or how they will be able to pull their wheelie bins to the kerbside if no side access will be provided. The access points at the front is going to cause problems on collection day. The residents of the new properties would have to put their bins out at the front on Hempstead Road for collection. There will be at least four extra wheelie bins which will either block the access points and/or parking spaces or cause a nuisance for us, our neighbours and pedestrians if they are left on the pavement.

The local infrastructure is already stretched and DBLP Policy 12 requires evidence that there is local capacity (or that the necessary infrastructure can be provided) "*prior to occupation of the development*". More large family homes plus whatever is likely to happen with the development of the land to the rear in addition to other infill development and future planned development in Bovingdon will place an unconscionable burden on the school, doctors, refuse collection and this already busy and noisy stretch of Hempstead Road.

3. Design, appearance and type of materials

It is a core principle of the Planning System that a high quality of design is sought and development of poor quality "*should be refused*" (NPPF paragraphs such as 7, 17 & 64.

existing The current application as it stands is poorly presented and lacks essential detail. To begin with, none of the submitted drawings correctly reflect the house OR adjoining properties; the plan for the footprint of the existing house and proposed footprint of the new internal layout which are supposed to be on the same scale do not overlay exactly as you would expect them to.

that When overlaying the plans using the bay window as a matching point it appears

removed supporting and external walls to the side of Greymantle appear to have been
shown altogether or moved outwards in to a different position. The original staircase is
applying in a different position. The plans are amateur, have not properly thought out
architect. common sense and were certainly not prepared by a professional builder or

alternations On this basis how can the current application and planned extension and
boundaries, for Greymantle be evaluated as the plans are not to the same scale despite stating
dimensions or that they are, they bear no relation to the surroundings or distances from
regulations/building windows, walls etc for either Parkhurst or Ivydene? There are no room
of structural information about how supporting and external walls can be removed and
the still support the roof! The loft space needs to be divided for fire
regulations about which there is no information. Therefore, the plans are not worth
of any further comment and surely must be rejected as inadequate.

No topography report has ever been provided with any application made by the applicant. There is no bearing to the street scene to what is around it. As mentioned about not details of parking/turning/access arrangements have been provided

No Tree Survey has been provided with the application and the proposed development as it stands fails to consider the soft edges to the village and will be injurious to the adjoining Green Belt land.

There is a cherry tree on the driveway which is probably significant and should be retained given that all the other trees including a very large and mature cherry tree were removed from the rear garden before the Original Application was made. I understand from the previous owner that the house was called "Cherry Trees" at one time which is likely to have reflect the history of the land on which Greymantle and all the houses on this row stand being an old fruit orchard. Greymantle used to and other houses in this row still do retain some of the original fruit trees. It would be a shame for this surviving tree on Greymantle to be lost.

The current application is poorly designed, unrealistic and fails to consider the actual size and siting of the existing house. All this this paints a very concerning picture. The lack of considered detail and clarity, gives no confidence that should the application be granted, that the constructed scheme would be structurally sound, safe for occupation or even reflect the approved drawings as they are so very vague. These plans should not be approved in the current form and it is doubtful whether the planning authority should have validated this application.

The lack of clarity, deliberate lack of detailed information, lack of landscaping

proposals (and other supporting information) mean that we strongly urge the
planning authority to consider refusal of this application, at the very least until much more accurate, detailed and informative/definitive proposals and plans have been submitted.

The poor quality and inappropriate plans, coupled with the failure to consider matters such as topography and the protection of the “*soft edges*” to the village would also be injurious to the adjoining Green Belt (see DCS Policies CS10, CS11 & CS12 as well as DBLP Policy 21).

4. Loss of Light or Overshadowing

On the basis that what is built is what is represented on the basic plans then there should not be an issue with loss of light and overshadowing for us at Ivydene as the plans show that the property even with the new rear extension will not come out any further in to the garden than the present rear extension does. However, for reasons explained above and the vagueness of the plans, no confidence is placed on these. However, it is likely that the applicant will not want to shorten what is already an extremely shallow garden.

5. Other Matters

Demolition of the garage at Greymantle

If the garage is to be demolished, then this must only be done under planning permission/building control. It forms a party wall boundary at present. We are also concerned that due to the date of construction 1950s/60s that there is likely to be asbestos present and that the legal requirements for the safe removal of this are observed in its demolition by the applicant. We ask that this should be a condition of any planning permission and/or unless the applicant can provide a satisfactory and professional, up to date survey confirming that there is no asbestos in the garage or indeed the side and rear extensions. If asbestos is found, then suitable guarantees must be put in place to arrange its proper removal and disposal at the expense of the applicant.

We use the side access as our main entrance and exit to our property. We are concerned about the safety and security of our property during the demolition of the garage and any subsequent building works to the main house at Greymantle. We would require the applicant and/or building control to carry a professional assessment and put in place such health and safety requirements, at the expense of the applicant, as are necessary to prevent any loss of security, privacy and safety to our property and family for as long as any building works are taking place and so as not to inconvenience our use and enjoyment of our home, garden and driveway.

Ground stability and drainage

The land is graded, and subsidence noted as moderate to high risk in the area meaning that specialist advice on planting or removal of trees, changing drainage or carrying out building works should be obtained before any works are carried out. Any excavation

work for the foundations of the proposed extensions could have a serious adverse impact upon the stability of the existing structures. We have serious concerns about the impact that such works could have on the stability of our own adjoining property.

A large mature tree has already been recently removed from the site prior to the submission of the planning application. Other large trees along the boundary with the Green Belt Land at Duck Hall Farm have been crudely cut back and may have been damaged.

We have concerns about the impact of the proposed development on surrounding properties in terms of drainage as well as ground stability.

Drainage is probably only adequate at present due to permeable nature of the site. The increased building coverage and tarmac for road/parking will reduce the permeable nature of the site. This together with graded nature of the site will have adverse effect on drainage for Ivydene and surrounding properties including land at Greymantle.

We understand there is a well in the garden at Greymantle. This indicates a shallow and accessible aquifer/groundwater table. The property and area has limited potential for groundwater flooding.

Specialist advice on the above issues should be obtained at the cost of the applicant and this should be a condition of any planning permission being granted.

6. Conclusion

*Planning permission should be **refused** where an application proposal:*

- 7. fails to meet the terms of the 'Development Plan';*
 - *fails to meet the terms of Government policy;*
 - *fails to respect the character or appearance of its local surroundings,*
 - *is incompatible with meeting the national and local objectives of securing sustainable development;*
 - *will cause harm to interests of acknowledged importance, in particular local residential amenity; and*
 - *fails to provide all the information essential to its determination.*

The option for further development of the back garden should not be permitted to be retained in view of the limited access and for the reasons set out in the Decision Notices made in respect of the Original and Amended Applications in respect of this site. In this instance the applicant should be restricted to a sympathetic development of the main house only as one property or two semi-detached properties incorporating the additional garden land up to the boundary of the Green Belt land.

As outlined above the current application is lacking in essential detail in respect of the adequacy of turning and parking and design, appearance and type of materials. It is presently

likely to have detrimental impact on residential amenities as well as the other planning and non-planning concerns outlined above.

Accordingly, it is requested that the application in its current form be refused.

We would be grateful if the council would take our objections and comments into consideration when deciding this application.

Comments on amended plans

I wish to confirm our continuing objections to this application as set out in our earlier letter dated 25th June in so far as they still apply, which they do on the whole, except maybe for the provision of the larger gardens as detailed in the latest plan (posted 29th July).

Homeland, Hempstead Road, Bovington, HP3 0HF

Application assumes further development in back garden excluding this land and access to it thus insufficient provision for parking. Most properties in Hempstead Road have space to either turn a car or park 3 or more cars which has become necessary as traffic has increased. Frontage would then all have to be hard standing. Most other properties have kept some front garden to keep a pleasant appearance to the road. Volume of traffic necessitates off road parking and more back garden space than in quieter roads. Almost all other houses in Hempstead Road have gardens going back to the field hedge. Planned houses would have less garden than any other house in road. From plans it seems possible to add 4th bedroom in the roof which would add to requirements. Greymantle is an attractive property with good parking and spacious garden previously well kept. Replacing this with smaller houses with minimal parking and garden is clearly detrimental to character and quality of the area.

Comments on amended plans

I confirm my opposition as previously stated. The amended layout still shows insufficient parking for the left hand property (parking A1 and A2) . The right hand property is also shown with two parking spaces in front of the house. The side vehicular access to the back garden is kept clear, strongly suggesting intentions for future back garden development.

If Greymantle is to be divided into two, it would be preferable to have side extensions set back from the front to allow for extra parking/turning space at the side of each house, as is the case at Ivydene.

Purbeck, Hempstead Road, Bovington, HP3 0HF

I do not believe the proposal is in keeping with the area, I feel it will encroach on my privacy and is massively over developing the site.

Please consider my views accordingly.