

**4/02681/15/FUL - THREE BED DWELLING (AMENDED SCHEME).  
129 MARLINS TURN, HEMEL HEMPSTEAD, HP1 3LW.  
APPLICANT: Mr Ahmed.**

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[Case Officer - Emily Whittredge]

### **Summary**

The application is recommended for approval. proposal is considered acceptable in terms of its impact on the existing dwelling and the street scene. The amenity of neighbours would not be unduly impacted. The required parking could be provided within the site and is acceptable on highway safety grounds. The application accords with the development plan.

### **Site Description**

The application site is occupied by a semi-detached two storey dwelling on the east side of Marlins Turn. The site falls within the Gadebridge character area (HCA6). The road is characterised by a mix of terraced and semi-detached dwellings in both staggered and straight alignments, of brick construction with pitched roofs.

No. 129 forms one of 6 semi-detached properties regularly spaced and set at a slight angle to the highway with large verdant front gardens edged by low boundary hedges or walls. The rear garden backs onto the Metropolitan Green Belt, and a wide strip of amenity land and public footpath lies to the north, which provides access to a long terrace of dwellings that run perpendicular to the main highway.

The dwellings are of post-war design constructed in brick in a simple gable form with square projecting bays at the ground floor with a pitched canopy across the entire frontage. Each dwelling benefits from a single detached garage to the side.

### **Proposal**

The application seeks to demolish the existing detached garage and construct a two storey side extension up to the boundary (4.8 m wide) at the same height as the existing dwelling, to form a new three-bed dwelling with accommodation in the loft. The new house would feature a 3m two storey wing to the rear with a hipped roof. The existing rear garden would be divided in two and parking would be provided for each dwelling within the front garden.

A new single storey rear extension is proposed to No. 129, measuring 3 m deep, approximately 3.3 m high and with eaves 2 m high.

### **Referral to Committee**

The application is referred to the Development Control Committee due to it being called in by a Ward Councillor.

### **Planning History**

4/00641/15/FU THREE BED DWELLING

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Refused

27/04/2015

## **Constraints**

Residential Area HCA6: Gadebridge

## **Policies**

### National Policy Guidance

National Planning Policy Framework (NPPF)  
Planning Practice Guidance

### Adopted Core Strategy

Policy NP1 - Supporting Development  
Policy CS1 - Distribution of Development  
Policy CS4 - The Towns and Large Villages  
Policy CS11 - Quality of Neighbourhood Design  
Policy CS12 - Quality of Site Design  
Policy CS29 - Sustainable Design and Construction  
Policy CS31 - Water Management

### Saved Policies of the Dacorum Borough Local Plan

Policy 58 - Private Parking Provision

Appendix 3- Layout and Design of Residential Areas  
Appendix 5 - Parking Provision  
Appendix 7 - Small-scale House Extensions

### Supplementary Planning Guidance / Documents

Area Based Policies (May 2004) - Residential Character Area HCA6: Gadebridge  
Accessibility Zones for the Application of Car Parking Standards (July 2002)

## **Summary of Representations**

### **Comments received from local residents:**

#### 133, 135, 137 Marlins Turn - Object on grounds of:

- Impact on street scene
- Car parking arrangements

#### 131 Marlins Turn - Object on grounds of:

- Impact on street scene
- Car parking arrangements
- Impact on property value

We live in the semi-detached property, number 131, that adjoins 129 Marlins Turn. We have lived in the property for 42 years. Over the years, most of these houses, including ours, have had extensions built. These have been tastefully designed and maintained the character and enhancement of the properties and street scene.

As stated in our letter 15 March 2015 objecting to the original planning application 4/00641/15/FUL we have no objection to the single storey extension to the rear of the property but again we wish to object to the proposed three bed dwelling to be constructed to the side of the property.

It is noted that a couple of changes to the original layout of the proposed property in the previous planning application referred to above have been made. However this does not change the fact that this new proposal would still change a pair of semi-detached houses into a row of three terraced houses. As mentioned in your officers report to the previous planning application "No.129 forms on of 6 semi-deetached properties regularly spaced and set at a slight angle to the highway with large verdant gardens edged by low boundary hedges or walls. Your officers report also states that "the site falls within the Gadebridge character area (HCA6)." Surely what is now propose will change the street scene and is against Policy CS12 of the Dacorum Core Strategy.

One of our main concerns, along with those of other nearby residents, is the proposed car parking arrangements. More on street parking would be required as a result of an additional property and this just is not possible. It is noted in your officers report that "Most objections put forward by local residents stated that pressures for car parking are high in this area and it was noted on my site visit (during normal working hours) that this appears to be the case." I can assure you that had you visited in the evening it would have been far worse than you had viewed during the day. I have included a photo showing the parking issues taken one morning this week.

It is also stated in your officers report that "the highways officer does not raise objections on ground of highway safety". I am sure he would have taken a different view if he had witnessed a fire engine trying with difficulty to get around cars parked on either side of the road adjacent to 129 Marlins Turn a couple of weeks ago. What is now proposed would make the matter worse.

Regarding the planning application it is noted that no design and access statement or sustainability statement have been shown on your website.

As stated in our objection letter to the previous application whilst we have no objection to change and are all for properties being enhanced, we simply feel this project is going too far. Another house tacked on the end in such a cramped space would completely spoil the symmetry.

We are aware that issues of property values cannot be taken into consideration but would still like to state very strongly that by changing our house from a three bedroom semi-detached into an end of terrace will, according to estate agents SureSale, lower the value of our property by up to £35,000.

133 Marlins Turn-

After viewing the changed plans, our feelings remain the same and we object very strongly for plans to build another house adjoining number 129.

We can only repeat that as residents in the street for a very long time, extensions have been built which have added value and enhancement to properties, including our own house. Another house built on to number 129 would change the run of semi-detached to a block of terraced at the end which in our view would not fit in with the street scene. The new proposals would not alter the parking problem as it is already a very major concern for all residents. Another house, in such a tight area would only add to the existing parking problems and frustrations people in the street already incur regarding parking. Cars and vans are already parked illegally on pavements at the end of Gade Close (which is almost opposite number 129 Marlins Turn) because there is simply nowhere else to park. Pedestrians in turn are being forced off the pavement and onto the road which in itself is a hazard.

We therefore hope you will understand this would be a major problem for many people if planning went ahead.

#### 135 Marlins Turn-

- incongruent to the existing pattern of development in the street
- doesn't appear to relate well to adjacent and nearby development
- will turn a semi into a terrace
- the roof line will not 'match' that of nos: 129-143 in that the plans show 'Velux' windows in the roof to the front (and rear)
- the kitchen, being at the front of the proposed development would be at odds with other property in the road
- Extreme pressure on car parking in the whole road, exacerbated at evenings and weekends especially at the point in the road at 129 where parking effectively causes a 'chicane' effect, making for difficulties for emergency service vehicles, waste collection vehicles and delivery vans. (Photo enclosed)

#### 137 Marlins Turn-

1- Parking - parking along Marlins Turn is difficult on evenings and weekends as you can only park on one side due to the width of the road. As you turn in to the lower part of Marlins Turn this creates problems at different times of the day as cars park on the left up as far as the turning to Gade Close and on the right (alongside the green) leading up to Housewood end. Often cars park too close to one another (on opposite sides) meaning that vans and delivery vehicles often have difficulty to squeeze past the narrow gap, and on some occasions they have been unable to get through at all. This "pinch point" is on the road outside of the current footprint for 129 meaning the parking would become increasingly difficult if the development is approved as the new drop kerb would further reduce parking. A further concern is that if the new property (129A) is let to multiple tenants there may be further cars searching for parking. The major concern in this situation is that emergency services will not be able to gain access as a consequence of these issues.

2 - The section of Marlins Turn from numbers 143 to 129 are all semi-detached properties and the proposed development would alter the landscape of this section of the road. A townhouse and the current design is not in keeping with the rest of the properties on this section, or the other surrounding houses.

## **Consultation Responses:**

### **Thames Water:**

#### Waste Comments

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the options available at this site.

Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

#### Water Comments

With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

### **Hertfordshire Highways:**

Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:

- 1) Pedestrian visibility splays of 2m x 2m shall be provided, and thereafter maintained, on both sides of the widened vehicle crossover, within which there shall be no obstruction to visibility between 0.6m and 2m above the carriageway. Reason: In the interest of highway safety.
- 2) The proposed car parking spaces shall have measurements of 2.4m x 4.8m respectively. Such spaces shall be maintained as a permanent ancillary to the development shall be paved and shall be used for no other purpose. Reason: The

above condition is required to ensure the adequate provision of off-street parking at all times in order to minimise the impact on the safe and efficient operation of the adjoining Highway.

3) The development shall not begin until details of the disposal of surface water from the parking area have been submitted and approved in writing by the Local Planning Authority. Reason: - To minimise danger, obstruction and inconvenience to highway users.

4) All areas for storage and delivery of materials associated with the construction of this development shall be provided within the site on land, which is not public highway, and the use of such areas must not interfere with the use of the public highway.

Reason: In the interest of highway safety and free and safe flow of traffic.

5) Best practical means shall be taken at all times to ensure that all vehicles leaving the site during demolition of the garage and construction of the development are in a condition such as not emit dust or deposit mud, slurry or other debris on the highway.

Reason: To minimise the impact of construction vehicles whilst the development takes place

The Highway Authority would ask that the following note to the applicant be appended to any consent issued by the local planning authority:-

HIGHWAY INFORMATIVE: The highway authority requires the existing vehicle cross-over to be extended to serve the two off street parking spaces. All works must be undertaken by approved contractors so that the works are carried out to their specification and by a contractor who is authorised to work in the public highway. The applicant will need to contact [www.hertsdirect.org](http://www.hertsdirect.org) or telephone 0300 1234 047 for further instruction.

Highway Comment The above amended scheme is to construct a three bedroom attached dwelling to the side of 129 Marlins Turn, the applicant is proposing to have two off street parking spaces. To enable safe and efficient means of access to the two off street parking spaces the applicant will need to modify the existing vehicle crossover (VXO). This is covered in the above informative. The required level of off street parking for both the existing and new properties is a matter for the local authority to determine. The LPA's comments are duly noted regarding the previous application. Whilst any shortfall in off street parking is not welcomed by the HA, it should also be considered that many residents do already park on the highway and in particular at night, causing restricted driving around Marlins Turn.

#### Conclusion

- Although the highway authority in principle has no objection to the construction of this house, the VXO works as detailed above needs to be completed before occupation. On balance, this proposal is unlikely to have a significant impact on the safety and operation of the adjacent highway, consequently the Highway Authority does not consider it could substantiate a highway objection to this proposal. The Highway Authority has no objection subject to the above conditions to the grant of permission.

#### Considerations

The key considerations for the determination of this application are the impact of the development on the character of the area, the amenity of existing and future residents and the impact on car parking and highway safety.

#### Effects on appearance of building and Impact on Street Scene

Policy CS12 of the Dacorum Core Strategy states that on each site, development should respect adjoining properties in terms of layout, security, site coverage, scale, height, bulk, materials, landscaping and amenity space. It is recognised that the application dwelling is one of a series of semi-detached dwellings in this part of Marlins Turn, and to form a new dwelling on the site would be to alter the housing type of this pair.

However, the impact of forming a terrace of three dwellings in this location would not be at odds with the character of the immediate area, which features a mix of development types and arrangements united by their common design and materials. The dwellings immediately opposite the site and to the north are terraced, some straight and some staggered, such that the extension of No. 129, adjoining open amenity land, would not appear incongruous with its surroundings and would not appear to alter the prevailing spacing between dwellings. The application site comprises the last dwelling in the series of semi detached dwellings, and because of the mix of housing types and site layouts in the area, forming a terrace would not appear unnatural in this location. The gabled roof form and simple style of dwellings in Marlins Turn adapts well to extensions to the side, as proposed here.

The new dwelling has been designed to match the style and appearance of the existing. The rear wing is subservient to the principle dwelling and would not dominate the street scene. The previous version of the proposal included a box dormer, but this has been eliminated in the current application. The proposed roof lights are not considered to be unduly harmful to the street scene as roof lights are normally permitted development and it would therefore be unreasonable to impose this condition on the application site.

#### Impact on Trees and Landscaping

Although no response was received to the current consultation, the Tree officer's comments on the previous version of the scheme are relevant to the application currently under consideration. The tree officer noted that:

....there is a mature Hornbeam tree on Council owned land adjacent to the property at 129 Marlins Turn. The main tree stem is at a distance of 4 m from the brick built boundary wall of the existing property.... I recommend that allowing working space between the base of the tree and the proposed dwelling, the remainder of the RPA should be protected during construction by protective fencing in accordance with the recommendations of the British Standard 5837:2012 Trees in relation to design, demolition and construction recommendations.

A condition will be imposed to secure the protection of this tree for the duration of the construction works.

#### Impact on Highway Safety

Numerous objections were received to the proposal on the basis of highway safety and lack of parking for the new dwelling. The Highway authority have raised no objection to the development on highway safety grounds, subject to certain conditions being imposed. The proposal includes the provision of one car parking space on site for each of the two dwellings, which is considered to fall short of Dacorum's requirement of 2.25 spaces per new dwelling. However, both the new and existing dwellings have adequate space in the front gardens to provide two car parking spaces each, and car parking provision can be secured by condition to ensure that the car parking need is met within the site. The proposed development would not therefore place undue pressure on street parking and is considered acceptable on highway safety grounds, subject to the conditions described above.

#### Impact on Neighbour Amenity

The application site is at a distance of approximately 12.8 metres from the front elevations of Nos. 105 and 107 Marlins Turn, with those dwellings facing the existing rear garden of 129. The dwelling itself is offset from the terrace to the north and therefore the development would not contravene BRE guidance for sunlight and daylight. There would be some impact on the outlook of No. 105 as a result of the new two storey wing, but because of the offset, there would be no development in front of the dwelling, and the extension would not cause a significant loss of amenity. A side window is proposed at first floor level, but this serves a bathroom and would be obscure glazed by condition. There would be no invasion of privacy caused by overlooking to existing or proposed dwellings.

The proposed rear extension would not cause harm to the amenity of No. 131 Marlins Turn, and it is recognised that the single storey extension falls within the limits of permitted development.

#### Impact on the Amenity of Existing and Future Occupiers

The proposal provides slightly in excess of 11.5 metres garden depth for both dwellings, but to ensure that adequate amenity space is retained in future following subdivision of the site, permitted development rights for both dwellings will be removed for extensions (Class A) and for the construction of outbuildings (Class E).

#### Sustainability

A CS29 checklist was submitted outlining the sustainability measures to be undertaken as part of the development.

#### **Other Considerations**

##### Site Access

Although the proposed site plan shows gated access over the adjoining amenity land, this land is owned by Dacorum Borough Council, and permission would need to be obtained for right of access over this land for existing and proposed dwellings. A suitable boundary treatment can be secured by way of landscaping condition attached to the permission, and an informative will be added stating that the planning permission does not confer any rights of way over this land.



## Conclusions

The proposal is considered acceptable in terms of its impact on the existing dwelling and the street scene. The amenity of neighbours would not be unduly impacted. The required parking could be provided within the site and is acceptable on highway safety grounds. The application accords with the development plan and is therefore recommended for approval.

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

- 1 **The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

- 2 **The materials to be used in the construction of the external surfaces of the dwelling and extension hereby permitted shall match in size, colour and texture those used on the existing building.**

Reason: To ensure a satisfactory appearance to the development.

- 3 **Notwithstanding the parking arrangements shown on the plans hereby permitted, the new dwelling shall not be occupied until parking arrangements showing two off-street parking spaces being provided for both the new dwelling and the existing dwelling shall have been provided in accordance with details submitted and approved in writing by the local planning authority, and they shall not be used thereafter for any purpose other than the parking of vehicles.**

Reason: To ensure the adequate and satisfactory provision of off-street vehicle parking facilities.

- 4 **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending or re-enacting that Order with or without modification) no development falling within the following classes of the Order shall be carried out without the prior written approval of the local planning authority:**

**Schedule 2 Part 1 Classes A, B, D & E.**

Reason: To enable the local planning authority to retain control over the development in the interests of safeguarding the residential and visual amenity of the locality in accordance with Policy CS12 of the Dacorum Core Strategy.

- 5 **Prior to the commencement of the development hereby permitted details for the disposal of surface water from the parking area shall be submitted to and approved in writing by the local planning authority. The details shall provide for the appropriate interception of surface**

**water runoff so that it does not discharge into the highway or foul water system. The development shall be carried out and thereafter retained fully in accordance with the approved details.**

Reason: To minimise danger, obstruction and inconvenience to highway users.

- 6 Pedestrian visibility splays of 2 m x 2 m shall be provided before any part of the development is first brought into use, and they shall thereafter be maintained, on both sides of the entrance to the site, within which there shall be no obstruction to visibility between 600 mm and 2 m above the carriageway.**

Reason: In the interests of highway safety.

- 7 The window at first floor level in the north elevation of the extension hereby permitted shall be non-opening to 1.7m above finished floor level and shall be permanently fitted with obscured glass unless otherwise agreed in writing with the local planning authority.**

Reason: In the interests of the amenity of adjoining residents in accordance with Policy CS12 of the Dacorum Core Strategy.

- 8 Prior to the commencement of the development hereby approved, details of tree protection measures for the adjoining mature Hornbeam tree shall be submitted to and approved in writing by the local planning authority. The tree shall be protected during the whole period of site excavation and construction in accordance with the details so approved.**

Reason: In order to ensure that damage does not occur to the trees during building operations.

- 9 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:**

- **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;**
- **trees to be retained and measures for their protection during construction works;**
- **proposed finished levels or contours;**
- **car parking layouts and other vehicle and pedestrian access and circulation areas;**

**The approved landscape works shall be carried out prior to the first**

**occupation of the development hereby permitted.**

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area.

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

**20/14A SHT 1**  
**20/14A SHT 2**  
**20/14A SHT 3**  
**20/14A SHT 4**  
**20/14A SHT 5**  
**20/14A SHT 6**

Reason: For the avoidance of doubt and in the interests of proper planning.

Informative: This permission does not imply or confer right of access for the existing or proposed new dwelling across the adjoining amenity land to the north.

Waste and Water Informatives:

With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921.

There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the options available at this site.

With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

Highway Informatives: The highway authority requires the existing vehicle

cross-over to be extended to serve the two off street parking spaces. All works must be undertaken by approved contractors so that the works are carried out to their specification and by a contractor who is authorised to work in the public highway. The applicant will need to contact [www.hertsdirect.org](http://www.hertsdirect.org) or telephone 0300 1234 047 for further instruction.

All areas for storage and delivery of materials associated with the construction of this development shall be provided within the site on land, which is not public highway, and the use of such areas must not interfere with the use of the public highway.

Best practical means shall be taken at all times to ensure that all vehicles leaving the site during demolition of the garage and construction of the development are in a condition such as not emit dust or deposit mud, slurry or other debris on the highway.