

4/00070/19/FUL	PART TWO STOREY, PART FIRST FLOOR SIDE/REAR EXTENSION AND CONVERSION INTO TWO 3-BED DWELLINGS
Site Address	34 GREEN DELL WAY, HEMEL HEMPSTEAD, HP3 8PX
Applicant	Ms Barkham, 35 Green Dell Way
Case Officer	Briony Curtain
Referral to Committee	Called in by Cllr Sutton - Visual Amenity - insufficient parking - danger to highway safety

1. Recommendation

1.1 That planning permission be **DELEGATED WITH A VIEW TO APPROVAL subject to the completion of a Unilateral Undertaking.**

2. Summary

2.1 The site is situated within the urban area of Hemel Hempstead wherein the principle of housing development is acceptable in line with Policies CS1 and CS4 of the Core Strategy 2013. Policy 10 of the DBLP promotes the effective and efficient use of urban land. Therefore, consideration of this application rests on density, type of dwellings, appearance, impact on neighbouring properties, highway safety and landscaping.

2.2 Given its design and position at the end of the road, adjacent to a grassed amenity area, the development proposed is considered to successfully integrate with its surroundings. The height, size and siting of the extensions / new dwelling respect adjacent buildings and their design replicates common features in the existing street scene such that they will not appear incongruous.

2.3 The proposal would not result in significant material detriment to adjoining residential amenities in terms of light, privacy or visual intrusion. The proposals partly utilise the existing vehicular access points, and four parking spaces; two per dwelling would be provided. Given only a single additional unit is proposed it would not give rise to any significant adverse highway issues.

2.4 The sub-division of the plot is considered to be acceptable, as it will not have a significant impact upon the character and appearance of the surrounding area or residential amenity of surrounding properties. Sufficient amenity space is provided for each of the units.

2.5 Whilst a row of vegetation (including mature trees) would be lost a suitable compensation strategy has been secured via legal agreement.

2.6 The proposed development therefore complies with the National Planning Policy Framework (2018), Policies CS1, CS4, CS10, CS11, CS12 and CS17 of the Core Strategy (2013), Saved Policies 10, 18, 21, 58, 99 and 100 and Appendices 3 and 5 of the Local Plan (2004).

3. Site Description

3.1 The application site is located to the north-eastern corner of Green Dell Way in Leverstock Green and comprises one half of a semi-detached pair. To the side the site abuts a grassed open amenity area to the south-west and to the rear is Leverstock Green Road.

4. Proposal

4.1 Full planning permission is sought for a part two storey, part first floor side/rear extension and the conversion to form two 3-bedroomed dwellings. The rear garden area would be sub-divided and both properties would be provided with parking to the front.

5. Relevant Planning History

None since 1990.

6. Policies

6.1 National Policy Guidance

National Planning Policy Framework (NPPF)
National Planning Policy Guidance (NPPG)

6.2 Adopted Core Strategy –

NP1, CS1, CS4, CS8, CS9, CS10, CS11, CS12, CS13, CS17, CS18, CS19, CS23, CS28, CS29, CS30, CS31, CS32 and CS35

6.3 Saved Policies of the Dacorum Borough Local Plan

Policies 10, 13, 18, 21, 51, 58, 99, 111
Appendices 3, 5 and 7.

6.4 Supplementary Planning Guidance

- Environmental Guidelines (May 2004)
- Area Based Policies (May 2004) - Residential Character Area HCA 23 Adeyfield North.
- Water Conservation & Sustainable Drainage (June 2005)
- Energy Efficiency & Conservation (June 2006)
- Accessibility Zones for the Application of car Parking Standards (July 2002)
- Affordable Housing (Jan 2013)

7. Constraints

- 15.2M AIR DIR LIMIT
- CIL3

8. Representations

Consultation responses

8.1 Comments were received by Herts County Council Highways and the ward councillor Cllr Sutton who has called in the application. These are reproduced in full at Appendix 1.

Neighbour notification/site notice responses

8.2 Six representations were received from 4 neighbouring properties. These are reproduced in full at Appendix 2.

9. Considerations

Main issues

9.1 The main issues to consider are:

- Policy and principle
- Layout, density, design, scale, impact on area
- Impact on surrounding properties and amenity of future residents
- Trees / landscaping
- Impact on Highway Safety / parking
- Other Considerations

Policy and Principle

9.2 Core Strategy (2013) Policy CS4 states that appropriate residential development within residential areas in the Towns is encouraged. Furthermore, within the Core Planning Principles outlined in the NPPF (2018) there is heavy emphasis on the planning system's responsibility to deliver more homes and throughout the NPPF stresses this further, seeking to boost the supply of housing, promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively. It goes on to state that decision makers should give great weight to the benefits of using suitable sites within existing settlements for homes. Saved Policy 10 of the Local Plan (2004) echoes this and seeks to optimise the use of available land within urban areas.

9.3 Additionally, due to the fact that the Local Planning Authority (LPA) cannot currently demonstrate a 5 year housing land supply, decisions should apply a presumption in favour of sustainable development. This is discussed in detail below.

The 'Tilted Balance'

9.4 The LPA cannot currently demonstrate a 5 year housing land supply, and therefore paragraph 11 of the NPPF (2018) is engaged. Paragraph 11 and footnote 7 clarifies that in the context of decision-taking "the policies which are most important for determining the application are out-of-date when the LPA cannot demonstrate a five year supply of

deliverable housing sites". The most important policies for determining a housing application are considered to be Policies CS1 (Distribution of Development), CS4 (The Towns and Large Villages), CS12 and CS17 (New Housing). Paragraph 11 continues, "Plans and decisions should apply a presumption in favour of sustainable development...where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

a) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

b) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."

9.5 The NPPF identifies that there are 3 dimensions to sustainable development: social, economic and environmental.

- The social benefits of the scheme would include a small contribution towards making up the shortfall in housing in the Borough thereby facilitating the Government's aim of boosting the supply of housing.

- The economic benefits of the scheme would include the creation of short-term jobs during the construction of the development. In addition, future residents would support the local economy using the amenities in the town / area. It is therefore considered that the proposal will have some positive benefits to the local community, and can be considered sustainable from an economic perspective.

- In terms of the environmental benefits, in this location the principle of residential development is acceptable, and the site does not reside within an area of particular importance (for example a habitat site, Green Belt, AONB, heritage site - see footnote 6 of the NPPF). One of the key strands of the NPPF is the expectancy of high quality development, not just for the short term but over the lifetime of the development. Any new development is expected to protect the surrounding built environment and make effective use of land.

9.6 It is considered that there are social, economic and environmental benefits to the scheme. Therefore the proposal constitutes sustainable development and for that reason the tilted balance in favour of an additional housing units applies.

9.7 Taking all of the above into account, the proposal is acceptable in principle and would make a small but valuable contribution to the Borough's existing housing stock (in accordance with Policy CS17). The development would be located in a sustainable location and would seek to optimise the use of urban land. The proposal is in accordance with policies CS1, CS4 and CS17 of the Core Strategy (2013), Saved Policy 10 of the Local Plan (2004) and the NPPF (2018).

Layout, Design, Scale, and impact on area.

9.8 Core Strategy Policies CS11, CS12 and CS13 state that development within settlements should respect the typical density in the area, integrate with the streetscape

character and contribute to the quality of the public realm. Chapter 12 of the NPPF states that planning policies and decisions should not attempt to impose architectural styles or particular tastes and, in particular, states that permission should be refused for development of a poor design which fails to improve the character and quality of the area.

9.9 In design terms the extension/dwelling is considered to be of an acceptable design and appearance and would respect the architectural style prevalent in the area. The side extension (which would form the new dwelling) would be two storeys in height, and follow the existing front build and ridge line of No.34. The materials would match and as such it would appear as a natural continuation of the existing building. It is proposed to introduce a two-storey rear extension but the simple design and matching materials means this would also harmonise well and its limited scale and rear projection means it would not appear dominant or incongruous. When viewed from the rear elevation, the extension would be stepped slightly. However given the minimal stagger, and the fact the gabled roof remains one consistent depth (the roof would overhang) it would not appear unduly incongruous.

9.10 Concern has been expressed by local residents that the extensions/dwelling would be out of keeping as the existing street scene comprises semi-detached units of a similar size and appearance. It is acknowledged that the area is characterised by semi-detached dwellings, however given the position of the application site at the end of the road and adjacent to an open grassed amenity area, it is concluded that the development proposed would not appear cramped or out of keeping. The extensions proposed would, from the Green Dell Way street scene appear as a natural continuation of the existing pair and whilst the width of the building at first floor level (there is already a garage at ground floor) would be increased, many of the properties have undertaken two storey side extensions which result in those buildings having a similar overall width to that currently proposed. It is acknowledged that the majority of the two storey side extensions are set back and set down from the parent properties but this is predominantly to avoid a terracing affect with the adjoining pair of semi-detached units. No.34 is located at the very end of the road and as such boasts generous spacing to the south-east.

9.10 It is proposed to construct the dwelling from brick. It is considered reasonable to include a condition requiring the use of matching materials in order to ensure an acceptable appearance.

Impact on Residential Amenity of Surrounding Properties / Future Residents.

9.11 There would be no significant adverse effects.

9.12 Saved Appendix 3 of the Dacorum Local Plan (2004) states that residential development should be designed and laid out so that the privacy of existing and new residents is achieved. It further states that residential development should be designed and positioned in such a way that a satisfactory level of daylight and sunlight is maintained for existing and proposed dwellings. Policy CS12 of the Core Strategy compliments this and requires development to avoid visual intrusion, loss of sunlight and daylight to the surrounding properties.

9.13 The development essentially comprises two elements; a part two storey, part first floor side extension (which would form the new unit) and a two storey rear extension

(which would enlarge the existing property and form part of the new unit). Each will be assessed in turn.

9.14 The side extension follows the front building line of No. 34 and as such would have no impact on the residential amenities of the other half of the semi-detached pair No.32. It would be visible from the front facing windows of the properties to the opposite side of Green Dell Way but given the separation distance, it would not appear visually intrusive or overbearing. Given it follows the existing front build line, the separation distances would be identical to all other properties within Green Dell Way.

9.15 The two-storey rear extension would be visible from and given its unfavourable orientation would have an impact on light levels reaching the rear of No.32. However the impact would not be to such a degree as to warrant a refusal. The plans indicate that the two-storey rear extension is set away from the common boundary and would not therefore breach a 45 degree line drawn from the centre of No.32's nearest first floor habitable room. An acceptable level of sunlight and daylight would continue to reach the rear facing habitable windows and immediate garden rear of No.32.

9.16 Given the siting and design of the extensions and additional dwelling the development would not result in an increase in overlooking or a loss of privacy compared to existing circumstances.

9.17 Turning to the residential amenities of future occupants of the new/existing dwelling(s), an acceptable amount of light and aspect would be maintained to all habitable rooms. The rear extension would intersect a 45 degree line from the existing bedroom of No. 34 Green Dell Way however the limited depth of the rear extension at just over 2m means adequate daylight (in accordance with BRE Guidelines would still reach the room and some degree of open aspect would be maintained. Moreover this is the application site so they would be imposing these conditions on themselves.

9.18 Saved Appendix 3 of the Dacorum Local Plan requires new development to provide private open space, with private gardens normally being positioned to the rear of the dwelling and having a minimum depth of 11.5 metres. For infill developments garden depths which are below 11.5 metres but of equal depth to adjoining properties will be acceptable. Despite the rear extension, even at the shortest point the dwellings (existing and proposed) would have a garden depth in excess of 11.5 metres. Whilst the garden of the new dwelling would taper slightly, the space available would be functional and of a sufficient size and shape to adequately serve the proposed three bedroomed family unit. Given this assessment it is considered necessary and reasonable to remove permitted development rights in relation to extensions to the dwellings and outbuildings.

9.19 The development would not have an adverse impact on surrounding properties and future residents would be provided with an acceptable level of residential amenity. As such the proposals comply with Policy CS12 of the Core Strategy 2013 and saved Appendix 3 of the DBLP.

Impact on Trees and Landscaping

9.20 In accordance with the Town and Country Planning Act 1990, local planning authorities have a duty to 'make provision' for the protection of trees within their jurisdiction. As such there is a general presumption for the retention and preservation of trees through this protective legislation. Local Plan Policy 99 is consistent with this

approach:

Encouragement will be given to the preservation of trees, hedgerows and woodlands (including old orchards) throughout the Borough.

Where new development is proposed, a high priority will be given to their retention and to their protection during development. In order to minimise unnecessary loss and damage to roots the Council will:

(a) carefully consider the positions of existing and proposed trees with the proposed development so that a harmonious relationship is achieved;

(b) require an accurate tree survey indicating trees proposed for retention or removal; and

(c) require details of proposed underground works and tree protection measures to be submitted and approved.

9.21 The NPPF (2018) seeks to protect irreplaceable habitats (such as ancient woodland and ancient or veteran trees). The Woodlands Officer has confirmed that the vegetation along this boundary does not fit into that category or importance.

9.22 The proposed dwelling would be sited in very close proximity to some existing vegetation, which currently overhangs the single storey garage of the application property. Within the vegetation row there are several mature trees which line the boundary between the application site and the adjacent Herts County Council owned, but Dacorum Borough Council managed amenity land. The trees are mature, and their trunks are in close proximity to the boundary. As a result the branches currently significantly overhang the boundary (and garage) of the application site. Given the proximity of the trees to the site, regardless of this current application, under common law pruning rights, DBC would not be able to object to the applicants cutting back all branches and roots to their boundary line. This may significantly reduce the health and longevity of this row of trees/vegetation.

9.23 Given the long term health of these trees cannot currently be guaranteed due to their proximity to the existing buildings (garage and No.34), the Woodlands Officer has concluded that in the future, regardless of the proposals, the trees will need removing. This would be at the expense of DBC. Given the current proposal, to build closer to the trees at first floor, it is considered that the best long-term solution would be for the applicants to pay to remove the row of vegetation and to replant at a more suitable distance from the dwelling(s). A Unilateral Undertaking would secure the finances to remove all the existing vegetation located on land immediately beside the application site and to purchase, plant and maintain during establishment (2 year period) 6 x Acer Campestre (Field Maple) trees in the grass amenity area further to the south-east.

9.24 Given these are not veteran trees or ancient woodland, their loss is considered acceptable as a suitable compensation strategy will be secured. Re-locating the trees further from the application site would provide a preferable relationship between the existing and proposed buildings and ensure the longer term visual amenity of this area. In addition, it would facilitate the provision of a much-needed additional housing unit. The proposal complies with the objectives of the NPPF and Saved Policy 99 of the

DBLP.

Impact on Highway Safety

9.25 The proposal would not adversely affect the safety or operation of the adjacent highway network. Saved Policy 58 of the Dacorum Local Plan states that the level of parking provision to be provided in new development will be assessed using the demand based parking guidelines and approach to parking set out in Appendix 5 of the plan. The maximum standards for the non-residential development represent the starting point for provision, with restraint being applied progressively on a zonal basis in urban areas. In accordance with saved Appendix 5, a three-bedroom dwelling would give rise to a maximum parking standard of two off-road parking spaces.

9.26 Policy CS9 states that the traffic generated by new development must be compatible with the location; design and capacity of the current and future operation of the road hierarchy, taking into account planned improvements and cumulative effects of incremental development.

9.27 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. Accordingly, more weight is given to the 'case by case' approach to parking provision prescribed in national policy and CS12.

9.28 Following concerns about the width of the plot and the ability to provide the parking spaces, the application site has been re-surveyed. Very slightly amended plans were received. In total, four parking spaces would be provided - two for the parent dwelling and two for the proposed dwelling. This complies with the Council's maximum parking standards and is therefore acceptable. The site is located within a residential area where traffic flow is low and despite its position at the bend of the road, the provision of a single additional dwelling would not generate significant additional traffic to the detriment of highway safety. Whilst it is not ideal that the entire frontage of the site is dominated by parking, this is an existing scenario in other properties in the road and the overall appearance of this part of the road is softened by the grassed area immediately to the side. The parking spaces will be accessed via Green Dell Way.

9.29 Whilst new vehicle crossovers would be required, adequate visibility in both directions is achievable and this would be an identical situation to all other properties in the road, which are served by their own crossovers. This is not a classified road so planning consent would not be required. A condition requiring landscaping details and details of boundary treatment to the front will be imposed. Concern has been raised in relation to over-spill parking on the highway. Given the parking provision meets, the maximum demand standards a refusal could not be sustained. In addition, it is important to note that on-street parking on the road is un-restricted and as such is an existing circumstance. The provision of one additional dwelling would not place undue stress on the existing network.

9.30 The Highways Officer has not raised any objections to the proposed development, the condition and informatives suggested will be imposed.

9.31 The proposals comply with Policy CS9, CS12 and saved Policy 58 and appendix

5 of the DBLP.

Other Material Planning Considerations

9.32 The application is CIL liable. Policy CS35 requires all developments to make appropriate contributions towards infrastructure required to support the development. These contributions will normally extend only to the payment of CIL where applicable. The Council's Community Infrastructure Levy (CIL) was adopted in February 2015 and came into force on 1 July 2015.

Response to neighbour comments.

9.33 Most concerns/ issues raised by residents have been addressed above but in addition comments were received in relation to sewerage, the owners' circumstances and misleading plans.

9.34 Sewerage would not be a matter for consideration at this time, if granted permission the provision and acceptability of sewerage would be controlled under the Building Regulations.

9.35 Concerns have been received with regard to the validity of the application (certificate A has been signed) due to the circumstances of the applicant. These questions have been put to the agent and the LPA is satisfied from the response received (confidential) that the application is valid and can proceed.

10. RECOMMENDATION – That planning permission be **DELEGATED WITH A VIEW TO APPROVAL SUBJECT TO THE COMPLETION OF A LEGAL AGREEMENT** for the reasons referred to above and subject to the following conditions:

Conditions

No	Condition
1	<p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p><u>Reason:</u> 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.</p>
2	<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><u>Reason:</u> To ensure a satisfactory appearance to the development in accordance with Policy CS12 of the Core Strategy 2013.</p>
3	<p>Prior to the occupation of the additional dwelling hereby approved 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;</p>

	<p>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;</p> <p>The approved landscape works shall be carried out in accordance with the agreed details and thereafter maintained as such.</p> <p><u>Reason:</u> To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with Policy CS12 of the Core Strategy 2013.</p>
4	<p>The development hereby permitted shall not be occupied until the arrangements for vehicle parking shown on Drawing No. 0795/PL01 B shall have been provided, and they shall not be used thereafter otherwise than for the purposes approved.</p> <p><u>Reason:</u> To ensure the adequate and satisfactory provision of off-street vehicle parking facilities.</p>
5	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending or re-enacting that Order with or without modification) no development falling within the following classes of the Order shall be carried out without the prior written approval of the local planning authority:</p> <p>Schedule 2 Part 1 Classes A, B, C, D, E, and F</p> <p><u>Reason:</u> 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 and to ensure adequate provision of parking.</p>
6	<p>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.</p> <p><u>Reason:</u> In the interests of highway safety.</p>
7	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>0795/PL01 B 0795/PL02A</p> <p><u>Reason:</u> For the avoidance of doubt and in the interests of proper planning.</p> <p>Article 35;</p>

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

HIGHWAY INFORMATIVES:

1. The Highway Authority requires the alterations to or the construction of the vehicle crossovers to be undertaken such that the works are carried out to their specification and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.), the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. The applicant may need to apply to Highways (Telephone 0300 1234047) to arrange this, or use link:-

<https://www.hertfordshire.gov.uk/droppedkerbs/>

2. 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: <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.

3. 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 <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047

4. 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-and-developer-information.aspx>

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-and-developer-information.aspx>

Appendix 1

Consultation responses

Herts County Council 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:

CONDITIONS:

1. Prior to the commencement of the use hereby permitted the proposed onsite car parking area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

Reason: To ensure the permanent availability of the parking area, in the interests of highway safety.

2. The development shall not be brought into use until the existing access has been extended and the new one constructed to the current specification of the Highway Authority and to the Local Planning Authority's satisfaction.

Reason: In the interest of highway safety and amenity and to ensure the development makes adequate provision for on-site parking and manoeuvring of vehicles likely to be associated with its use.'

3. Prior to the first occupation of the development hereby permitted, pedestrian visibility splays of 2m x 2m shall be provided, and thereafter maintained, on both sides of the extended vehicle crossover, within which there shall be no obstruction to visibility between 0.6m and 2m above the carriageway.

Reason: In the interests of highway safety.

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

INFORMATIVES:

1. The Highway Authority requires the alterations to or the construction of the vehicle crossovers to be undertaken such that the works are carried out to their specification and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.), the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. The applicant may need to apply to Highways (Telephone 0300 1234047) to arrange this, or use link:-

<https://www.hertfordshire.gov.uk/droppedkerbs/>

2. 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: <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.

3. 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 <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047

4. 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-and-developer-information.aspx>.

COMMENTS

This application is for Part two storey, part first floor side/rear extension and conversion into two 3-bed dwellings

ACCESS

The site is located on Green Dell Way, which is an unclassified local access road subject to a 30mph speed limit.

There is currently a single vxo giving access to the existing garage. This will require extending to give access to the two proposed parking spaces for the converted property.

A new double vxo is required to give access to the new parking spaces to be constructed for the existing property.

PARKING

The proposal is for each property to have two parking spaces on hard standings to be constructed in the front gardens.

CONCLUSION

Hertfordshire County Council as Highway Authority considers the proposal would not have a severe residual impact on the safety and operation of the adjoining highways, subject to the conditions and informative notes above

Ward Councillors

Cllrs Sutton has called the application in if minded to approve;.

Objections include:-

1. The conversion, if approved, will alter the visual aspect of the road to its detriment
2. There is insufficient parking space for two 3 bedroomed properties
3. The site is on a short steep hill and on a bend. Vehicles parked on road outside the premises would cause obstruction of view of road users navigating the bend and would be areal danger in snowy and icy conditions.

I also understand that there is some question on the ability of the applicant make this application, has this issue been addressed.

Appendix 2

Neighbour notification/site notice responses

Objections

17 Green Dell Way - OBJECT

Visual intrusion - this a street of identical semi-detached dwellings. This proposed development will alter the character and appearance of the area to its detriment
Parking - the application site has space to park just one vehicle, others would have to be parked in the roadway. As the property is on a sharp bend this will cause additional obstruction and danger by obstructing view of traffic moving in each direction around the corner. There is already difficulties with commuter parking in the immediate vicinity

13 Green Dell Way 2 comments received– OBJECT

I wish to register an objection against the proposed plan to convert the property 34 Green Dell Way into two 3-bedroom properties.

The property is placed opposite our house, with our driveways directly opposite each other. Conversion of this property into two 3-bedroom properties would seriously impact access to our driveway with the potential increase in vehicles requiring access to park there. This may also result in the open green space adjacent to 34 Green Dell Way being used for the purpose of parking, which would undoubtedly spoil the face of the environment and could possibly lead to other people believing they can park there also.

I Would also object to this proposed action on both safety and environmental grounds.

- a) Given the proximity of the proposed extension to the to the top of the road, which is situated on a bend, and on a hill.
- b) There is insufficient parking currently available at this Site, which on occasions has led to issues between motorists and local residents attempting to pass with insufficient room.
- c) The introduction of additional parking, which would clearly be required as part of the building permission, at or near the current residence, would undoubtedly pose a safety risk to both road and pedestrian users.
- d) The lack of parking would undoubtedly lead to people parking on the adjacent green, which would ultimately lead other people to believing that it was ok to park

there, thus causing friction between themselves and local residents.

Second comments;

I live at 13 Green Dell Way, directly opposite 34 Green Dell Way the site of the proposed planning application.

I wish to object to such an application in the strongest possible terms for the reasons i will set out below:

Parking - 34 Green Dell Way currently has one parking space but due to the location of the dwelling and its proximity to both a bend in the road and a hill, combined with access difficulties to the property any vehicle resident there in the main is left on the roadside. It should be noted that the current driveway on the property is at an incline of circa 40 degrees and renders the driveway unusable in inclement weather conditions.

Questions therefore have to be raised in relation to the legitimacy of the proposed planning application which identifies 4 car parking spaces at the property. Something that given the location, narrowness of the property and physical dimensions make this a physical impossibility.

The flawed application would undoubtedly lead to parking on the road which would significantly our ability to park on our own drive and give rise to additional risks to both motorists and pedestrians, this clearly is in breach of any planning regulations.

In terms of design and appearance Green Dell Way is made up of a series of semi-detached houses, this application would lead to a "Terraced" type appearance something which is not in keeping with the rest of the road.

There are established trees and foliage which are adjacent to the property on the Green any such building works would require removal of said foliage which is unacceptable.

Finally, i would question the proposition of the planning application due to owners circumstances.

9 Green Dell Way – 2 representations received– OBJECT

I live at 9, Green Dell Way, which is directly opposite 34, Green Dell Way.

I only discovered the application on 10th February, when told by a neighbour. Is it no longer a requirement for neighbours to be notified? I have had little time to consider any objections.

1) Query relating to applicant.

2) The drawings and plans are misleading. There is not sufficient room to park two cars side by side in front of the proposed new dwelling. The width is a single garage plus a 1m wide alleyway. That the length of the spaces is at least 5m is also questioned. Not withstanding the width of the site, the side elevations do not show the slope down from the road to the front of the proposed construction. This is excessive and makes it more

likely that the road would be used for parking rather than the proposed spaces.

3) The site is on a short steep hill and at the end of a bend. In cold and snowy weather, the hill is often impassable, remaining icy because the sun does not fall on it, and a salt/grit container has been placed immediately next to the property for residents to use. Extra cars parked outside the property would increase the risk of accidents.

4) The front elevation is slab sided along the building line, rising two storeys. This is not in keeping with similar additions to nearby properties, which have taken steps to prevent a continuous terraced appearance.

5) The boundary with Council land has a rich hedge with substantial trees. These would need to be removed. This would substantially change the greenness of the area. I have emailed the appropriate department to discover whether there are any TPOs in force, but due to my lack of notification by the council, have not yet received a reply.

Second comments;

For convenience, the public comments are grouped below.

Visual Intrusion

This a street of nearly identical semi-detached dwellings. The front elevation is slab sided along the building line, rising two storeys. This is not in keeping with similar additions to nearby properties, which have taken steps to prevent a continuous terraced appearance.

This proposed development will alter the character and appearance of the area to its detriment. The council may wish to consider whether allowing this development will set a precedent that they later regret. Being an end building with no neighbour on the unattached side, it may be considered not to create a terracing effect. However, there is concern that the granting of this application could lead to further applications being difficult to resist.

My reason for this change is that the council will tell you that each application is treated on its own merits.

Section 8 - Pedestrian and Vehicle Access, Roads and Rights of Way

It is proposed to provide a new right of way, within or adjacent to the site. No details are provided. What and where is this to be?

Section 9 - Vehicle Parking

It is stated that there are two parking spaces already in existence. This is an error. There is only one.

It is proposed to have a total of four parking spaces. There is insufficient width across the two proposed plots to meet the council's current standards. It is doubtful whether the required five metres exists between the existing building and the footpath.

The side elevations do not show the slope down from the road to the front of the proposed construction. This is excessive and makes it likely that the road would be used for parking which would exacerbate the current situation.

The floor has been raised some 16" to be higher than the ground floor level of the house. The inner end of the garage ramp lies substantially above the adjacent ground level. Steps to provide a single inclined plane parking space are required. This is not shown on the elevations.

In cold and snowy weather, the hill is often impassable, remaining icy because the sun does not fall on it, and a grit-salt container has been placed immediately next to the property for local residents to use. Difficulties with parking on the proposed steep parking slope in inclement weather will lead to cars from the proposed building being

parked outside the property and would increase the risk of accidents. Access and egress will be dangerous with limited line of sight towards the bend in the road.

The lack of parking would undoubtedly lead to people parking on the adjacent green, which would ultimately lead other people to believe that it was normal to park there, thus causing friction between themselves and local residents.

The Highways Authority should be consulted.

Section 10 - Trees and Hedges

Trees on the adjacent Council land will need to be trimmed to enable the building works.

Trees and the adjacent hedge on Council land will restrict the line of sight from the proposed car parking.

The adjacent trees and hedges on Council land are an important part of the local landscape character.

As this would effectively interfere with access and egress we would appreciate confirmation from the planning authority that the highway authority has in fact been consulted on this issue.

Section 11 - Assessment of Flood Risk

The lie of the land, if paved, will direct surface water to the adjacent downhill properties. The existing property is on the steepest part of Green Dell Way, which is so named for obvious reasons. Houses at the lowest point of Green Dell Way are highly dependent on the surface water drains to prevent flooding in downpours. Water has been seen to completely cover the area from door sill to door sill across the road. Should the authority be mindful to approve this application, appropriate provision should be made and a condition to this effect applied.

Section 13 - Foul Sewage

The application regarding disposal of the foul sewage states "unknown" How can any application be treated as serious when the point in question is shown as unknown and particularly as the site lies within an established housing estate?

It is unclear whether the intent is for the sewage for either dwelling to be taken to the existing foul sewer at the rear of the buildings.

The existing dwelling has the bathroom at the rear rather than, as shown in the application, at the front. There is a downstairs toilet to the front, in the old alleyway between the original house and garage, and where the new building will be. Usual practice has been to run the foul waste along the old alleyway. This would be under the newly proposed building. Is it proposed to run the foul waste from both buildings under the proposed construction to the existing sewer?

We would appreciate receiving confirmation from you as to the comments you have received from your consultation with the statutory water facilities provider.

36 Green Dell Way – OBJECT

As the family residing in the adjacent property for the last 32 years we have several concerns related to this development. I would therefore like to lodge an objection towards the plan to convert the property at 34 Green Dell way into two three bedroom properties.

The proposed first floor extension along with the two storey semi-detached residence will most certainly cause loss of light into our property, overshadowing the garden. Currently we enjoy limited sunshine in the morning, the extension would block out even

more sunlight from our garden. In addition to which there will be a visual intrusion from the new bedrooms onto our garden affecting our privacy.

A major concern is that if this extension goes ahead it will change the exterior appearance of this section of the road. Aesthetically it will alter from being two semi detached properties into a terraced dwelling, no other properties in our road are of this design. All the other properties are semi detached. The outcome of this will surely affect the value of our neighbouring property to which we find objectionable.

The site for this development is extremely small in width. The boundary of the current property is edged with trees. I can only imagine that any building work will be substantially hampered by these trees. If these trees are to be removed this will certainly impinge on our privacy as well as the protection from noise pollution from the busy main road. This action would also be detrimental to the environment as these trees edge the green space which is appreciated by the general public.

Having read through the Planning Application I see it is stated that currently there is room to park two vehicles on site. There is not adequate room on the driveway to park two cars on the proposed development. It is proposed to place an additional two parking spaces, allowing four cars to park on-site. It will be difficult to park two cars outside the properties due to lack of space. This will ultimately inconvenience the neighbouring houses. Additional cars parked will make driving down the road dangerous. It is already quite difficult when cars are parked on the bend to see on coming vehicles. (To the left of the house is a bend and hill and green area, to the right of the house is our driveway.) The impact of additional cars may result in parking on the green which would have a massive impact on the state of the green. If this proposal goes ahead there will be environmental consequences.

As a footnote to this objection I would also like to mention the construction traffic. There is little to no access to the exterior of this property so I question where the building equipment and materials are going to be situated in the location for this proposed extension.