

<b>4/01145/19/FUL</b>	<b>CHANGE OF USE OF EXISTING GRANNY ANNEX AND EXTENSION TO FORM A DETACHED 3 BED DWELLING AND FORMATION OF NEW VEHICLE ACCESS</b>
<b>Site Address</b>	<b>243 BELSWAINS LANE, HEMEL HEMPSTEAD, HP3 9XE</b>
<b>Applicant</b>	<b>Mr &amp; Mrs Berry, 243 Belswains Lane</b>
<b>Case Officer</b>	<b>Colin Lecart</b>
<b>Referral to Committee</b>	<b>Contrary view of Nash Mills Parish Council</b>

## **1. Recommendation**

1.1 That planning permission be **GRANTED**

## **2. Summary**

2.1 The application would extend upon an existing annexe building and convert it into a separate dwelling. The proposed new dwelling is not considered to harm either the street scene or the residential amenity of neighbouring properties and would contribute to the Borough's housing stock. Concerns have been raised by the Parish Council on the grounds of Highway Safety in relation to the proposed new crossover on Belswains Lane. Hertfordshire County Highways Authority have not objected to the proposal and the new crossover would be constructed to meet visibility splay standards. Furthermore, the adjacent properties to the north west all maintain existing crossovers fronting onto Belswains Lane. Thus, the development is considered to comply with Policies CS8, CS11, CS12 of the Core Strategy (2013) and Saved Policies 21 and Saved Appendices 3, 5, and 7 of the Local Plan (2004).

## **3. Site Description**

3.1 The application site comprises a two storey semi-detached property with a one bedroom granny annexe constructed to the rear. Together with no. 245 it occupies a very prominent elevated location adjoining the Belswains- Bunkers Lane junction. The main pedestrian access is from Belswains Lane. The property is served by a garage and driveway located to the rear that fronts onto Bunkers Lane. Due to the size of the garage it is only used for storage. Two cars currently park on the driveway in tandem.

## **4. Proposal**

4.1 The application seeks permission for the change of use of an existing granny annexe and the construction of extensions to form a detached 3 bed dwelling and formation of a new vehicle access fronting onto Belswains Lane. The granny annexe is to be detached from number 243 with extensions constructed largely on the footprint of the existing store building and garage to form a frontage onto Bunkers Lane. A single storey flat roof rear projection would also be built measuring 2.4m in depth to provide suitable space within the lounge of the property.

## **5. Relevant Planning History**

4/00683/02/FHA SINGLE STOREY REAR EXTENSION TO FORM GRANNY ANNEXE  
Granted

10/06/2002

4/01369/00/ DWELLING AND ACCESS  
Refused  
28/09/2000

## **6. Policies**

### 6.1 National Policy Guidance

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

### 6.2 Adopted Core Strategy –

CS4  
CS8  
CS11  
CS12

### 6.3 Saved Policies of the Dacorum Borough Local Plan

Saved Policy 21  
Saved Appendix 3  
Saved Appendix 5  
Saved Appendix 7

### 6.4 Supplementary Planning Guidance / Documents [include only those relevant to case]

- Area Based Policies (May 2004) - Residential Character Area HCA19: Nash Mills

## **7. Constraints**

- Established Residential Area

## **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:

- Policy and principle of development
- Impact on the original building and street scene
- impact on amenity of neighbours
- Car parking and Impact on Highway Safety
- Trees

### Policy and Principle

9.2 The application site is located within a residential area of Hemel Hempstead where the principle of residential development is acceptable. Saved Policy 21 states that densities will generally be expected to be in the range of 30 to 50 dwellings per hectare. The proposal would result in a plot density of approximately 31 dwellings per hectare.

9.3 The Character Appraisal for the Area (HCA19: Nash Mills) states that development in the medium density (30-35 dwellings per hectare) is acceptable. Furthermore, planning permission has been approved at number 245 for the conversion of the property into 4-bedroom flats. Flatted developments are also located to the south of the site.

### Effect on Original Building and Street Scene

9.4 The existing granny annexe is not visible from Belswain Lane. From Bunkers Lane, the pitched roof of the annexe is visible over the existing garages. The Annexe would be detached from number 243 and an L shaped extension would be built largely on the footprint of the existing store and garage. This would extend forward of the existing garage by approximately 1m but would remain behind the build line of number 1 Bunkers Lane.

9.5 The proposed dwelling would be single storey in height and is not considered to dominate number 243 in terms of scale, bulk, and massing. Number 243 would maintain its prominence along Belswains Lane, from which the new dwelling would not be perceived. From Bunkers Lane, it is considered the new extensions would be a visual improvement upon the existing garage and store.

9.6 A new vehicle access and space for two car parking spaces are proposed for number 243, fronting onto Belswains Lane. This is not considered to be harmful to the street scene. The properties to the north west all maintain hardstandings for car parking. Also, the car parking spaces would be surfaced with shingle and Laurel hedging would be planted behind to soften its appearance.

### Effect on Residential Amenity

9.7 The proposal would not result in adverse impacts on residential amenity in terms of loss of light, privacy or outlook. The annexe structure to the rear of number 243 is existing with the extensions to be single storey in height. A 1m separation distance between the proposed dwelling and the boundary of number 1 Bunkers Lane would be maintained.

9.8 A 1.8m close boarded fence would be erected between the rear gardens of number

243 and the new dwelling to maintain privacy. A rear garden depth of approximately 11.3m would be maintained and is considered a functional amenity space for a 3 bed dwelling.

### Impact on Trees

9.9 Two Douglas Fir trees located within the rear garden would be removed. Trees and Woodlands have been consulted and have commented that, due to their size, form and limited roadside presence, would not be worthy of a Tree Preservation Order. The agent has also maintained that this has been agreed with the residents of number 1 Bunkers Lane, who would receive increased sunlight into their rear garden as a result of the removals.

### Car Parking & Highway Safety

9.10 A new vehicle crossover fronting onto Belswains Lane to serve number 243 is proposed. Hertfordshire Highways Authority have not objected to the proposal and have recommended conditions relating to the crossover width, surface water drainage, bin storage and visibility splays.

9.11 Nash Mills Parish Council have objected to the proposal, stating that traffic has significantly increased along Belswains Lane due to developments opposite the site. However, it is not considered that the proposed dwelling would introduce a level of increased traffic onto this road that would threaten the safety and operation of the Highway. The Parish have also commented that a proposal for a new zebra crossing on this section of the road was rejected approximately 8 years ago because of safety concerns. Highways were not able to find details of this and consider the proposed access to be acceptable in safety terms.

9.12 Two cars currently park on the driveway fronting Bunkers Lane in Tandem. The build line of the new extensions would extend further forward of the existing garage and so the proposed site plan shows space for two cars parked side by side. Whilst the driveway meets the dimensions for the parking of two cars, the existence of a lamppost on the pavement means that in practice, it would be difficult for both cars to access the driveway. Therefore, it is considered that the proposed dwelling would be served by one car parking space. This would be a shortfall of 1.25 car parking spaces under Dacorum's car parking standards as outlined in Saved Appendix 5 of the Local Plan (2004). However, the site is located in a sustainable location, approximately 0.9 miles from Apsley Train Station. It is also considered that a shortfall of 1.25 spaces would not lead to a significant impact on the safety and operation of the highway. Thus, due to the above, it is considered a refusal on highways safety grounds cannot be sustained.

## **10. Conclusions**

10.1 The application would extend upon an existing annexe building and convert it into a separate dwelling. The proposed new dwelling is not considered to harm either the street scene or the residential amenity of neighbouring properties and would contribute to the Borough's housing stock. Concerns have been raised by the Parish Council on the grounds of Highway Safety in relation to the proposed new crossover on Belswains Lane. Hertfordshire County Highways have not objected to the proposal and the new crossover would be constructed to meet visibility splay standards. Furthermore, the adjacent properties to the north west all maintain existing crossovers fronting onto

Belswains Lane. Thus, the development is considered to comply with Policies CS8, CS11, CS12 of the Core Strategy (2013) and Saved Policies 21 and Saved Appendices 3, 5, and 7 of the Local Plan (2004).

**11. RECOMMENDATION** – That planning permission be **GRANTED** 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>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.</p>
2	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>wren naj 34d 2019 wren naj 34b 2019</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 annexe building.</p> <p>Reason: To ensure a satisfactory appearance to the development in accordance with Policy CS12 of the Core Strategy (2013).</p>
4	<p>No development shall commence until full details (in the form of scaled plans and written specifications) have been submitted and approved in writing by the Local Planning Authority to illustrate the following: • A total vehicle crossover width of 5.4m (made up of four flat kerbs and two ramped kerbs). • Clarification of bin storage arrangements for the two dwellings as bins are only shown at the dwelling accessed via Bunkers Lane on the submitted plans.</p> <p>Reason: To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy CS8 and CS12 of the Dacorum Core Strategy (2013).</p>
5	<p>Pedestrian Visibility Splays Before the new vehicular access is first brought into use 0.65 metre x 0.65 metre pedestrian visibility splays shall be provided and permanently maintained each side of the access. They shall be measured from the point where the edges of the access way cross the highway boundary, 0.65 metres into the site and 0.65 metres along the highway boundary therefore forming a triangular visibility splay. Within which, there shall be no obstruction to visibility between 0.6 metres and 2.0 metres above the carriageway.</p> <p>Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policies CS8 and CS12 of the Dacorum Core Strategy (2013).</p>

**Informatives:**

**Construction standards for new vehicle access**

Where works are required within the public highway to facilitate the new 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. 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, 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

**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

**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

**Bat Informative:**

If bats, or evidence for them, are discovered during the course of roof works, work must stop immediately and advice sought on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England, to avoid an offence being committed.

## Appendix X

### Consultation responses

## Appendix X

### Neighbour notification/site notice responses

### Objections

Address	Comments
<b>Nash Mills Parish Council</b>	<p>NMPC Objects strongly to this application under CS12 (a) of the DBC core strategy (provide a safe and satisfactory means of access for all users)</p> <p>- This site is proposing access via Belswains Lane. This road is already very busy and the access is also very close to a very busy junction.</p> <p>Please may we also note that a large tree is showing on the existing drawings and not showing on the proposed drawings. The application states that NO trees will be removed. Please may we request that clarity is obtained re this?</p> <p>The traffic on Belswains Lane has increased dramatically over the last few years, not least as a result of the additional 500+ properties built in Nash Mills Wharf opposite this proposed crossover.</p> <p>Highways comments do not take account of the fact that they previously assessed this section of road for installation of a zebra crossing approx 8 years ago, and their site visit deemed the road too dangerous to enable a crossing to be placed at this section of Belswains Lane. NMPC would welcome a site visit from Highways to illustrate the safety concerns.</p> <p>With the above factors above NMPC felt that the original objection under CS12 of the local plan would still stand.</p>
1 BUNKERS LANE,HEMEL HEMPSTEAD,,,HP3 8AX	<p>Whilst I've ticked the object button I have no objection as such to the planning request / building work but once again parking.</p> <p>The occupiers of this address have themselves raised</p>

concerns about their neighbours planning permission and the increase in the number of cars parked in an already over-congested road and I for one am sick and tired of my driveway being blocked by residents of the John Dickinson estate and others with the footpath regularly being blocked causing mothers with pushchairs and even a wheelchair user to take to the road, risking their lives, yet the council once again are completely oblivious to this and do nothing.

I do not know the owners intention with this development but if they intend to sell it then as a 3 bedroom dwelling this could potentially introduce up to 6 cars and the required parking yet the plans show parking for 2 cars at a stretch.

When will the council listen to the concerns of it's community.

Again, this is nothing against the development - this is for the council !!!!