

## ITEM NUMBER: 5j & 5k

<b>22/01176/FHA &amp; 22/01284/LBC</b>	<b>Demolition of existing garden sheds and construction of garden office/workshop.</b>	
<b>Site Address:</b>	<b>65 St Johns Road Hemel Hempstead Hertfordshire HP1 1QQ</b>	
<b>Applicant/Agent:</b>	<b>William Allen</b>	
<b>Case Officer:</b>	<b>Briony Curtain</b>	
<b>Parish/Ward:</b>	<b>Hemel Hempstead (No Parish)</b>	<b>Boxmoor</b>
<b>Referral to Committee:</b>	<b>Applicant is an elected member</b>	

### 1. RECOMMENDATION

That planning permission (22/01176/FHA) and listed building consent (22/01284/LBC) be GRANTED.

### 2. SUMMARY

2.1 The site is situated within a well-established residential area of the town of Hemel Hempstead wherein appropriate residential development is encouraged in accordance with Policy CS4 of the Core Strategy. The proposed outbuilding will not harm the setting or special character, appearance and historic interest of this Grade II listed Building so would have a neutral impact on the heritage asset. There would be no harm to the site, surrounding area, residential amenities of surrounding properties or highway safety.

2.2 The proposal complies with Policies CS4, CS11, CS12 and CS27 of the Core Strategy 2013 and section 16 of the NPPF.

### 3. SITE DESCRIPTION

3.1 The site is occupied by a semi-detached Grade II listed building located on St Johns Road in Hemel Hempstead, opposite its junction with Puller Road. The surrounding area is predominately residential in character.

3.2 The site currently comprises two timber sheds in storage use.

### 4. PROPOSAL

4.1 Planning permission and listed building consent are proposed for the demolition of the existing sheds and the construction of an office/workshop garden building. Occupying the same area and a very similar footprint to the existing sheds, the outbuilding will comprise 'L' shaped pitched roof with a small front gable.

4.2 The outbuilding will be constructed of black shiplap timber cladding on a brick plinth with red roof tiles. The main part of the building will be used as a workshop/office space with a smaller storage (bike/mower) area to the north.

### 5. PLANNING HISTORY

Planning Applications :

4/02267/19/LBC - Retention of existing shed in Garden.  
GRA - 19th December 2019

4/02266/19/FHA - Retention of existing shed in Garden.

*GRA - 19th December 2019*

4/04098/15/LBC - Two storey rear extension and alterations  
*GRA - 30th March 2016*

4/04097/15/FHA - Two storey rear extension and alterations  
*GRA - 30th March 2016*

4/00512/04/LBC - Remove existing timber floorboards, supports and joists. replace with solid concrete flooring in the hallway  
*GRA - 7th April 2004*

4/00469/03/LBC - Remove garage door, replace with window, and internal works to provide new kitchen. remove present kitchen to create show and utility room and construct firewall  
*GRA - 4th April 2003*

## **6. CONSTRAINTS**

CIL Zone: CIL3  
Former Land Use (Risk Zone):  
Heathrow Safeguarding Zone: LHR Wind Turbine  
Listed Building, Grade: II,  
Parish: Hemel Hempstead Non-Parish  
RAF Halton and Chenies Zone: Yellow (45.7m)  
Residential Character Area: HCA7  
Parking Standards: New Zone 3

Town: Hemel Hempstead

## **7. REPRESENTATIONS**

### Consultation responses

7.1 These are reproduced in full at Appendix A.

### Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

## **8. PLANNING POLICIES**

Main Documents:

National Planning Policy Framework (2021)  
Dacorum Borough Core Strategy 2006-2031 (adopted September 2013)  
Dacorum Borough Local Plan 1999-2011 (adopted April 2004)

Relevant Policies:

NP1 - Supporting Development  
CS1 - Distribution of Development  
CS4 - The Towns and Large Villages  
CS10 - Quality of Settlement Design  
CS11 - Quality of Neighbourhood Design  
CS12 - Quality of Site Design

CS27 – Quality of Historic Environment  
CS29 - Sustainable Design and Construction

Supplementary Planning Guidance/Documents:

Accessibility Zones for the Application of Car Parking Standards (2020)  
Planning Obligations (2011)  
Roads in Hertfordshire, Highway Design Guide 3rd Edition (2011)  
Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice (2011)

## **9. CONSIDERATIONS**

### Main Issues

9.1 The main issues to consider are:

The policy and principle justification for the proposal;  
The quality of design, impact on heritage asset and impact on visual amenity;  
The impact on residential amenity; and  
The impact on highway safety and car parking.

### Principle of Development

9.2 The application site is located within a residential area of the town of Hemel Hempstead wherein appropriate residential development is encouraged in accordance with Policy CS4 of the Core Strategy 2013. The proposal is thus acceptable in principle subject to a detailed assessment of its impact

### Quality of Design / Impact on Visual Amenity

9.3 The main issue of relevance to the consideration of this application relate to the impact of the proposed works on the character and appearance of the Grade II listed building at No. 65 St Johns Road.

9.4 Regard must be given to the statutory tests of preserving or enhancing the setting of Listed Buildings under Sections 72 and 66 of The Planning (Listed Building and Conservation Areas) Act 1990.

9.5 Paragraph 197 of the NPPF (2021) states that in determining planning applications, Local Planning Authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets. Paragraph 199 of the NPPF outlines that when considering the impact of a proposed development on the significance of a designated heritage asset, 'great weight' should be given to the asset's conservation. Paragraph 201 states that where proposed development will lead to substantial harm or total loss of significance of a designated heritage asset, Local Planning Authorities should refuse consent unless it can be demonstrated that the harm is necessary to achieve substantial public benefits that outweigh the harm. Where the harm is considered less than substantial, Paragraph 202 states that this should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

9.6 Policy CS27 of the Core Strategy 2013 favours the conservation of heritage assets. The integrity, setting and distinctiveness of designated heritage assets will be protected.

9.7 Policy 119 of the Dacorum Local Plan (2004) states that every effort will be made to ensure that any new development liable to affect the character of a listed building will be of such a scale and

appearance, and will make use of such materials, as will retain the character and setting of the listed building.

9.8 The design and appearance of the proposed home office is considered acceptable and is in keeping with the character and appearance of the setting of the listed building. The proposals are therefore concluded to have a neutral impact on the heritage asset (listed building). In the absence of any harm no public benefits are required to justify the proposals.

9.9 Given its siting to the rear the outbuilding would not be visible from public vantage points so would have no impact on the character or appearance of this part of the St Johns Road street scene. The design and finishes of the building, together with its modest scale and the fact it is replacing existing sheds of a very similar footprint means it is considered appropriate for the plot, would retain sufficient amenity land and would not appear cramped or overdeveloped.

9.10 The proposal complies with Section 16 of the NPPF, Policies CS11, CS12 and CS27 of the Core Strategy 2013 and saved Policy 119 of the Dacorum Borough Local Plan.

#### Impact on Residential Amenity

9.11 The proposed outbuilding would not result in any harm to the residential amenities of adjacent and surrounding properties with regard to light, privacy or visual intrusion.

9.12 Given its siting, scale, design and limited height, the proposed structure would not appear visually intrusive or overbearing when viewed from adjacent properties. The pitched roof whilst modest in height also slopes away from No. 63 St Johns Road and No. 56 Horsecroft Road so as to minimise its visual impact. The outbuilding is located to the far rear corner of the garden and is set away from all neighbouring dwellings. In addition, it is important to note that there are numerous existing outbuildings in various gardens in the immediate vicinity.

9.13 There will be no windows to the southern or eastern elevations facing neighbouring properties so no privacy implications. It is proposed to have windows and doors but these will face into the applicants garden only and given they are at ground floor level would not give rise to any overlooking concerns.

9.14 For maintenance purposes and to permit access to the neighbouring fence the proposed outbuilding will be set 0.75m away from the southern common boundary.

#### Impact on Highway Safety and Parking

9.15 Given the nature of the proposed works and the fact the proposal does not involve any changes to the parking or access arrangements to the site, there would be no harm to the safety or operation of adjacent highways. The proposal complies with CS8 and CS12 in this regard.

#### Other Material Planning Considerations

9.16 Former land uses mean there is the potential for the site to be contaminated. The Council's scientific officer has been consulted and raises no objection on the grounds of land contamination. There is no requirement for further contaminated land information to be provided, or for contaminated land planning conditions to be included.

#### Response to Neighbour Comments

9.17 No comments received

#### Community Infrastructure Levy (CIL)

9.18 The development is not CIL liable.

## **10. Chiltern Beechwood Special Area of Conservation (SAC)**

10.1 The planning application is within Zone of Influence of the Chilterns Beechwoods Special Area of Conservation (CB SAC). The Council has a duty under Conservation of Habitats and Species Regulations 2017 (Reg 63) and Conservation of Habitats and Species (EU exit amendment) Regulations 2019 to protect the CB SAC from harm, including increased recreational pressures.

10.2 A screening assessment has been undertaken and it has been concluded that no likely significant effect is considered to occur to the CB SAC. In this case the outbuilding proposed would be used for purposes incidental to the existing dwelling house (storage/ garden office/workshop) and not for additional residential accommodation. A condition will be included securing this such that the development would not increase the residential accommodation at the site or add recreational pressure. Given there would be no additional recreational pressure as a result of the proposal an appropriate assessment is not required in this case.

## **11. RECOMMENDATION for 22/01176/FHA**

11.1 That planning permission be GRANTED.

### **Condition(s) and Reason(s):**

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

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

- 2. The development hereby permitted shall be carried out in accordance with the following approved plans/documents:**

**Location Plan  
Proposed Plans and Dimensions  
Design and Access Statement  
Heritage Statement**

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

- 3. The development hereby permitted shall be constructed in accordance with the materials specified on the application form and approved documents.**

Reason: To make sure that the appearance of the building is suitable and that it contributes to the character of the area in accordance with Policies CS11 and CS12 of the Dacorum Borough Core Strategy (2013).

- 4. The outbuilding hereby permitted shall not be occupied at any time other than for purposes incidental to the residential use (Storage/garden office/workshop) of the dwelling known as 65 St Johns Road, Hemel Hempstead and shall not be independently occupied.**

Reason: For the avoidance of doubt and to ensure that the use of the development remains ancillary to the use of the main dwellinghouse without allowing the intensification of residential accommodation within the site in accordance with CS12 of the Core Strategy 2013 and to ensure compliance with the Habitats regulations.

**Informatives:**

1. Planning permission has been granted for this proposal. The Council acted pro-actively through early engagement with the applicant at the pre-application stage which lead to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

**11. RECOMMENDATION for 22/01284/LBC**

11.1 That listed building consent be GRANTED.

**Condition(s) and Reason(s):**

1. **The works hereby permitted shall begin before the expiration of three years from the date of this consent.**

Reason: To comply with Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990, as amended by Section 51 (4) of the Planning and Compulsory Purchase Act 2004.

2. **The development hereby permitted shall be carried out in accordance with the following approved plans/documents:**

**Location Plan  
Proposed Plans and Dimensions  
Design and Access Statement  
Heritage Statement**

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

3. **The development hereby permitted shall be constructed in accordance with the materials specified on the application form and approved documents.**

Reason: To make sure that the appearance of the building is suitable and that it contributes to the character of the area in accordance with Policies CS11 and CS12 of the Dacorum Borough Core Strategy (2013).

**APPENDIX A: CONSULTEE RESPONSES**

Consultee	Comments
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<p>Conservation &amp; Design (DBC)</p>	<p>The house is a mid 19th century vernacular of two storey in flint and red brick with hipped welsh slate roof. It is part of a group of cottages. The shed to the rear is a reasonably modern structure which does not detract from the significance of the listed building and is in keeping with the setting of the listed building.</p> <p>The proposal would replace the existing with a home office and storage area. The proposal would have a nominal impact on the setting of the listed building. The structure is of a similar scale, mass and design. The external materials are appropriate. Therefore the officer does not need to undertake the balancing exercise in the Framework as the impact on the significance of the designated heritage asset would be considered to be neutral.</p> <p>Recommendation Neutral impact on significance of designated asset. Therefore no objection. External materials and finishes as per submitted documents.</p>
<p>Environmental And Community Protection (DBC)</p>	<p>Having reviewed the application submission and the ECP Team records I am able to confirm that there is no objection on the grounds of land contamination. Also, there is no requirement for further contaminated land information to be provided, or for contaminated land planning conditions to be recommended in relation to this application.</p>

## APPENDIX B: NEIGHBOUR RESPONSES

### Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
11	0	0	0	0

### Neighbour Responses

Address	Comments