

**4/00403/17/FUL - THREE BED DWELLING.
38 MEADOW ROAD, HEMEL HEMPSTEAD, HP3 8AJ.
APPLICANT: Mr & Mrs Lines.**

[Case Officer - Rachel Marber]

Summary

The principle of residential development in this location is considered acceptable. The proposed new unit would internally convert the two storey side extension granted in 2016. As such the proposal would not result in detrimental impact to the visual amenity of the street scene, undue impact to the residential amenity of the neighbouring residents or highway safety and parking provision. The proposed development therefore complies with the National Planning Policy Framework (2012), Policies CS1, CS4, CS8, CS10, CS11, CS12, CS17 and CS29 of the Core Strategy (2013), Saved Policies 10, 18, 21, 57, 58, 99, 100 and Appendices 3 and 5 of the Local Plan (2004) and the Nash Mills Character Area Appraisal (2004).

Site Description

The application site comprises an end of terrace brick faced dwelling with a generous side garden, accessible via a footpath off Meadow Road. The site falls within a residential area of Hemel Hempstead within the Nash Mills Area Character Appraisal (HCA19). The surrounding area is characterised predominantly by new town style terraced and semi-detached dwellings of similar architectural style, size and linear layout with strong build lines featured throughout.

Proposal

This application seeks permission to convert the two storey side extension granted permission in 2016 (4/01426/16/FHA) into a separate dwelling.

No change to the dimensions of the side extension will result from this conversion; just the subdivision of plot and a proposed front porch.

Referral to Committee

The application is referred to the Development Control Committee due to the contrary views of Nash Mills Parish Council

Planning History

4/01426/16/FHA Two storey side extension
Granted
13/07/2016

4/02762/15/FHA TWO STOREY SIDE EXTENSION
Granted
16/09/2015

Policies

National Policy Guidance (2012)

National Planning Policy Framework (NPPF)

Adopted Core Strategy (2013)

CS1- Distribution of Development
CS2 - Selection of Development Sites
CS4 - The Towns and Large Villages
CS8 - Sustainable Transport
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS17 - New Housing
CS29 - Sustainable Design and Construction

Saved Policies of the Dacorum Borough Local Plan (2004)

Policy 10 - Optimising the Use of Urban Land
Policy 18 - The Size of New Dwellings
Policy 21 - Density of Residential Development
Policy 51 - Development and Transport Impacts
Policy 58 - Private Parking Provision
Policy 99 - Preservation of Trees, Hedgerows and Woodlands
Policy 100 - Tree and Woodland Planting
Appendix 3 - Gardens and Amenity Space
Appendix 5 - Parking Provision

Supplementary Planning Guidance (2004)

HCA19 (Nash Mills)

Constraints

Residential area of Hemel Hempstead
Highbarns (inner and outer zones)

Summary of Representations

Comments received from consultees:

DBC Contaminated Land

The site is located within the vicinity of an old chalk pit. Records held by this department indicate no evidence of infilling and as such, the feature does not present a risk in terms of contamination. No further consideration is required in terms of contamination in respect of this application.

Strategic Housing

Due to the number of units being developed, the site will be exempt from any affordable housing contribution.

Building Control

No Comment

Herts Property

Herts Property Services do not have any comments to make in relation to financial contributions required by the Toolkit, as this development is situated within Dacorum's CIL Zone 3 and does not fall within any of the CIL Reg123 exclusions. Notwithstanding this, we reserve the right to seek Community Infrastructure Levy contributions towards the provision of infrastructure as outlined in your R123 List through the appropriate channels.

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

Nash Mills Parish Council

Objection

Nash Mills Planning Committee are aware of the planning history of 38 Meadow Road last year as an 'extension' and this year as 'three bed dwelling'.

They 'object' on the grounds that there is no provision for parking.

HCC 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:

Condition 1. Prior to the commencement of the site works the applicant shall submit a construction management plan setting out details of on-site parking for all contractors, sub-contractors, visitors and delivery vehicles, storage of materials to be approved in writing by the Local Planning Authority in consultation with the Highway Authority and that area shall be maintained available for use at all times during the period of site works.

Reason;- To minimise danger, obstruction and inconvenience to users of the highway.

Advisory Note.

AN1. Road Deposits: Best practical means shall be taken at all times to ensure that all vehicles leaving the development site during construction of the development are in condition such as not to emit dust or deposit mud, slurry or other debris on the highway.

Reason: This is to minimise the impact of construction vehicles and to improve the amenity of the local area.

AN2. The applicant is advised that storage of materials associated with the development should take place within the site and not extend into within the public highway without authorisation from the highway authority, Hertfordshire County Council. If necessary further details can be obtained from the County Council Highways via either the website <http://www.hertsdirect.org/services/transtreets/highways/> or telephone 0300 1234047 to arrange this.

Reason: In the interest of highway Safety

A3.The developer should be aware that the required standards regarding the maintenance of the public right of way and safety during the construction. The public rights of way along the carriageway and footways should remain unobstructed by vehicles, machinery, materials and other aspects of construction works.

Reason: In the interest of highway user's safety

Details:

Planning Application'

The planning application is for construction of a 3 bed end of terrace house on a land adjacent to and linked to 38 Meadow Road.

Site and surrounding

The site is enclosed by Meadow Road, Chambersbury Lane, and two footpath tracks one from Meadow Road forms a crescent adjacent to the application site and the other where two foot paths converging under Chambersbury Lane , passing the application site and narrowing to a single footpath up to Pond Road. The above footpaths are maintainable by the highway authority, but the records shows they are only for pedestrian use and not for motor vehicles.

The development's surrounding area comprised mainly terraced houses. Local Road Network

The site is enclosed by Meadow Road, Chambersbury Lane and Pond Road. They are all local access road with no on-street parking restrictions. There is no direct vehicular access facility to the application site.

Accessibility.

The site is within a residential neighbourhood.

Construction Management Plan.

The planning application is for a 3 bedroom end of terrace house. The development proposal is NOT to provide on-site parking provision. However, it is not clear how the construction vehicles will gain access to the site and the area for loading and storing of construction material. Construction Management Plan is the key consideration for the acceptability of the proposal.

Access and Parking

The applicant's proposal is not to provide on-site parking provision. On-site parking and local parking management is a matter for the planning authority

Conclusion

The Highway Authority does not wish to restrict the grant of consent subject to the above conditions and advisory notes.

Comments received from local residents

10 neighbours directly notified and site notice displayed on 29/03/17; no representations received

Key Considerations

1. Principle of Development
2. The Quality of the Design and the Impact on the Character and Appearance of the Area
3. Impact on the Living Conditions of Future Occupants and Surrounding Residential Units
4. Impact on Parking and Access
5. Impact on Trees and Landscaping
6. Sustainability
7. Other Planning Material Considerations
 - i Sustainable Design
 - ii High Barns Chalk Mines

1. Principle of Development

Core Strategy (2013) Policy CS1 states that Hemel Hempstead will be the focus for homes and policy CS4 states that appropriate residential development within residential areas in the Towns and Large Villages is encouraged.

Furthermore, within the Core Planning Principles outlined in the NPPF (2013) there is heavy emphasis on the planning system's responsibility to deliver more homes. Paragraph 47 of the NPPF (2013) stresses this further seeking to boost the supply of housing.

The National Planning Policy Framework (NPPF) encourages the provision of more housing within towns and other specified settlements and the effective use of land by reusing land that has been previously developed. Saved Policy 10 of the Local Plan (2004) also seeks to optimise the use of available land within urban areas.

Taking all of the above into account, the proposal would make a valuable contribution to the Borough's existing housing stock (in accordance with Policy CS17). As such, the development would be located in a sustainable location and seeks to optimise the use of previously developed 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 (2012).

2. The Quality of the Design and the Impact on the Character and Appearance of the Area

Paragraph 60 of the NPPF states that, *'planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.'*

In addition, Paragraph 64 of the NPPF states that *'permission should be refused for developments of poor design that fail to take opportunity available for improving the character and quality of an area and the way it functions.'*

Core Strategy (2013), Policies CS10, CS11 and CS12 highlight the importance of high quality sustainable design in improving the character and quality of an area; seeking to ensure that developments are in keeping with the surrounding area in terms of size, mass, height and appearance. This guidance is reiterated in the Saved Local Plan (2004) Policies 10, 18, 21 and Appendix 3.

The application site is located within a residential area, predominately comprising terraced units set in strong, linear build lines. The immediate street scene comprises four identical rows comprising six terraced units accessible via footpaths from Pond Road, Chambersbury Lane and Meadow Road. Each property shares relatively identical, form, height and architectural detailing. The Nash Mills Area Character Appraisal (HCA19) describes the area as comprising mainly terraced dwellings from the 1950s and 1960s, being a later new town neighbourhood to be developed. Houses are laid out in neat, ordered groups around an informal, curving road layout based on Chambersbury Lane. Dwellings either face onto the road or planned amenity greens. Within this character area the conversion of front garden areas to vehicle hardstandings is discouraged and in cases of new development, front garden areas common in size and layout to nearby and adjacent dwellings should be provided.

The proposed new unit would be located in what is currently the side garden of No. 38 Meadow Road with front orientation and access from the footpath off Meadow Road. The proposed unit comprises an internal conversion of the two storey side extension granted in 2016 which would retain the front build line of the terraced row and side build line, as maintaining the same distance from the side boundary as No. 73 Chambersbury Lane. Similarly, the plot division would retain the size of plots within the immediate street. The architectural detailing of the new unit and window fenestrations would remain congruous with the immediately adjacent properties. In short, the built form of the new unit has already been granted planning permission (4/01426/16/FHA) and would retain the spatial pattern and architectural built form of the immediate area.

The only new feature of the proposed conversion of the granted side extension into a separate unit would be the front porch. This would not appear incongruous in relation to the street scene in which many properties feature front porches and associated canopies, including neighbouring properties Nos. 38 and 40 Meadow Road.

The front garden of the new units would remain enclosed, without vehicle hardstanding, as is the case of immediate areas' 1950s and 1960s new town style development. As such, the proposal maintains the well landscaped character and appearance of the area.

In conclusion, it is considered that the architectural style and built form of a proposed dwelling rather than two storey side extension would not result in a detrimental impact upon the visual amenity or built form of the area. Therefore, the proposed adheres with Policies 10, 18, 21 and Appendix 3 of the Dacorum Local Plan (2004) and Policies CS10, CS11 and CS12 of The Core Strategy (2013), the National Planning Policy Framework (2012) and Nash Mills Character Area Appraisal (2004).

3. Impact on the Living Conditions of Future Occupants and Surrounding Residential Units

The NPPF outlines the importance of planning in securing good standards of amenity for existing and future occupiers of land and buildings. Saved Appendix 3 of the Local Plan (2004) and Policy CS12 of the Core Strategy (2013), seek to ensure that new development does not result in detrimental impact upon the neighbouring properties and their amenity space. Thus, proposals should be designed to reduce any impact on neighbouring properties by way of visual intrusion, loss of light or privacy. Moreover, Saved Appendix 7 of the Local Plan advises that alterations should be set within a line drawn at 45 degrees from the nearest neighbouring

habitable window.

The proposed new dwelling would retain the external dimensions of the two storey side extension granted in 2016 which was considered to be acceptable in terms of residential amenity of neighbouring properties. Although, the breach in 45 degree line as drawn from No.38's first floor rear bedroom window as a result of the side extension was assessed when the property was remaining as a single unit it is not considered that this breach would result in a significant loss of daylight and sunlight to what would now be neighbouring occupiers. The reason for this is due to the 2 metre further projection of the side extension and pitch roof of the gable away from this neighbouring window. Moreover, no loss of privacy to neighbouring residents would result from the proposal as the only first floor flank elevation window proposed would serve the staircase.

Turning to the living conditions the proposal would afford future residents. Saved Appendix 3 of the Local Plan (2004) states that garden depths equal to adjoining properties would be acceptable with a functional proposed width, shape and size that is compatible with surrounding area. Saved Appendix 3 expands this further outlining that a dwellinghouse should be provided with a minimum 11.5 metre deep garden space; with a larger garden depth provided for family homes. The existing unit's garden depth would remain at 11.8 metres. The proposed new unit would have a garden depth of 9.8 metre (approximately), which although below this threshold would be similar in size to adjacent properties. Additionally, the proposed new unit would also benefit from an enclosed front garden 6 metres deep.

Thus, the proposed development would not detrimentally impact the residential amenity of neighbouring properties, or future occupiers, thus is considered acceptable in terms of the NPPF (2012), Saved Appendices 3 and 7 of the Local Plan (2004) and Policy CS12 of the Core Strategy (2013).

4. Impact on Parking and Access

Policy CS12 of the Core Strategy (2013) seeks to ensure developments have sufficient parking provision. Paragraph 39 of the NPPF (2012) 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. Policies CS8 of the Core Strategy (2013) and Saved Policies 57, 58 and Appendix 5 of the Local Plan (2004) promote an assessment based upon maximum parking standards.

The application seeks to provide a three bed dwelling which would require the maximum provision of 2.25 off street parking spaces. The application does not feature any off street parking spaces. Nonetheless, there is ample on street parking provision available on the adjacent streets. Moreover the area is relatively sustainable with public transportation easily accessible, with available local bus network off Belswains Lane and a 5 minute drive to Apsley station.

Hertfordshire Highways were consulted and provided the following conclusive comments:

"The Highway Authority does not wish to restrict the grant of consent subject to the above conditions and advisory notes."

Due to Highways raising no objection and available on street parking, the proposed development would not result in significant impact to the safety and operation of adjacent highway. Thus, the proposal meets the requirements of Policy CS8 and CS12 of the Core Strategy (2013) and Saved Appendix 5 of the Local Plan (2004).

5. Impact on trees and landscaping

Saved Policies 99 and 100 of the Dacorum Local Plan (2004) and Policy CS12 of the Core Strategy (2013) seek to ensure that retained trees are protected during development and that new planting is a suitable replacement for any removed trees.

The proposed scheme has the potential to provide soft and hard landscaping on site. The boundary treatment would comprise a close boarded wooden fence with rear garden access gates. The front garden for both No.38 and the new unit would remain grassed and enclosed.

6. Sustainability

Policy NP1 of the Core Strategy (2013) states that Council will apply a presumption in favour of sustainable development when considering proposals. This is consistent with the 'golden thread' running through the NPPF (2012) as outlined in Paragraph 14. The Framework states that there are three aspects to sustainable development; social, economic and environmental. These roles should not be undertaken in isolation, because they are mutually dependent (paras. 7-8).

Environmental

The application site is situated within a residential area in the existing town of Hemel Hempstead. As such, the infrastructure in the immediate area has been developed to provide good transport links for existing residents. There are also services and facilities available within close proximity of the site. Taking this into account, the proposal would be environmentally sustainable.

Social

The proposal would make a valuable contribution to the Borough's existing housing stock (in accordance with Policy CS17) and complies with the Council's settlement strategy. As such, it is considered to be socially sustainable.

Economic

The proposal would also result in economic benefits during the construction of the units.

Conclusion

Overall, the proposal represents sustainable development, for which a presumption in favour applies in accordance with para.14 of the NPPF (2012).

7. Other Planning Material Considerations

i) *Sustainable Design*

Policy CS29 of the Core Strategy (2013) states that new development should comply with the highest standards of sustainable design and construction possible. A sustainability checklist has been submitted alongside application outlining sustainability measures for the proposed new unit; such as low flush WC's and low rate taps to improve water consumption levels. _

ii) *High Barns Chalk Mines*

Ground Conditions: High Barns Chalk Mines / National Planning Policy Framework Approach to Land Stability/ Recent Change to DBC's approach to the Consideration of Applications located in the Inner High Barns Area

The recently published Highbarns Treatment Report is an overarching report which covers the area directly affected by the former chalk mine. The report summarises the treatment work carried out by BAM Ritchies and provides evidence that the works have been effective in stabilising the ground which had been disturbed by the chalk mine.

Based upon the content of the Highbarns Stabilisation Treatment Report there were no remediation works at no. 38.

The Area Treatment Reports set out the detailed treatment works carried out at a particular set of properties and in a letter from DBC Assistant Director (Chief Executive's Unit) it is explained that this should read should be read in conjunction with the overarching report for High Barns. All the reports are published on the Council's website under www.dacorum.gov.uk/home/planning-development/planning-news/highbarns-chalk-mines

Until the publication of the NPPF the LPA was reliant upon the robust and now superseded PPG 14 (Development on Unstable Land).

With the recent publication of the Area Treatment Reports and the main report there is now a case to not withhold the grant of planning permission for extensions in the Highbarns Inner Area due to unknown land stability issues. Contaminated Land were consulted to support this and provided the following representation:

"The site is located within the vicinity of an old chalk pit. Records held by this department indicate no evidence of infilling and as such, the feature does not present a risk in terms of contamination. No further consideration is required in terms of contamination in respect of this application."

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 **Prior to first occupation of the development hereby approved, details of facilities for the storage of refuse shall have been submitted to and approved in writing by the local planning authority. The approved facilities shall then be provided before the development is first brought into use and they shall thereafter be permanently retained.**

Reason: To accord with Saved Policy 129 of the Dacorum Borough Local Plan (2004) and policy CS12 of the Core Strategy (2013).

- 3 **Within 6 months of the date of this decision a construction management plan setting out details of on-site parking for all contractors, sub-contractors, visitors, delivery vehicles and storage of materials shall have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The areas set out shall be maintained available for use at all times during the period of site works.**

Reason: To minimise danger, obstruction and inconvenience to users of the highway, in accordance with policies CS8 and CS12 of the Core Strategy (2013).

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

**PL/001 Rev A
PL/003 Rev A
PL/004 Rev A**

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

Article 35 Statement

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

Highway Informatives

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

Storage of Materials: The applicant is advised that storage of materials associated with the development should take place within the site and not extend into within the public highway without authorisation from the highway authority, Hertfordshire County Council. If necessary further details can be obtained from the County Council Highways via either the website

<http://www.hertsdirect.org/services/transtreets/highways/> or telephone 0300 1234047 to arrange this.

Public Rights of Way: The developer should be aware that the required standards

regarding the maintenance of the public right of way and safety during the construction. The public rights of way along the carriageway and footways should remain unobstructed by vehicles, machinery, materials and other aspects of construction works.