

Date of Meeting: 16 January 2016

APPLICATION NO: 19/1704/FUL

DATE OF APPLICATION: 23 October 2019

STATUTORY START DATE: 5 November 2019

SITE LOCATION

Little Delrow, Summerhouse Lane, Aldenham, Watford, Hertfordshire,

DEVELOPMENT

Demolition of existing conservatory and construction of single storey rear extension to facilitate subdivision of single dwelling into 5 self-contained flats to be retained in Use Class C2 for use by Camphill Village Trust residents.

AGENT

Mr Hardcastle
Suite 12 First Floor Business Centre
2 Union Square
DARLINGTON
DL1 1GL

APPLICANT

Mr Sweeney
Little Delrow
Summerhouse Lane
Aldenham
Watford
Hertfordshire
WD25 8DL

WARD: Aldenham West

GREEN BELT: Yes

CONSERVATION AREA: Patchetts Green & Delrow

LISTED BUILDING : No

TREE PRES. ORDER: No

REASONS FOR COMMITTEE CONSIDERATION

The proposal for five residential units exceeds the threshold for delegated authority in the constitution.

1.0 SUMMARY OF RECOMMENDATIONS

1.1 Grant planning consent subject to conditions.

2.0 APPLICATION SITE AND SURROUNDINGS

2.1 The site is located on the western side of Summerhouse Lane in Patchetts Green and lies within the Patchetts Green & Delrow Conservation Area and the Green Belt.

2.2 The site contains an 'L' shaped 2-storey building that was formally two dwellings, Green Tubs and Little Delrow, set at right angles to each other with one half presenting a gable end to the road and the other, set back from the front building line and forming an open courtyard area presenting a main roof slope to the road.

- 2.3 The building is set behind the adjoining property to the north, No. 3, with the rear most element on the same building line as the neighbouring property to the south, Orchard House, and with a large area to the front given over to hardstanding for car parking and terrace with areas of lawn with ornamental planting and with a large outbuilding which sits adjacent to a 17th century Grade II listed barn to the front of Orchard House. An established hedge forms the front boundary.
- 2.4 The site has been owned by the Camphill Village Trust (CVT) since 1985 and is one of 3 properties along Summerhouse Lane also owned by the Trust who also occupy a large site, Delrow House, on the opposite side of Summerhouse Lane where further residential accommodation is provided in a number of buildings. CVT provide accommodation, education and support to adults with learning disabilities and have been long established in the community.
- 2.5 An application for Little Delrow in 1990 (TP/90/0195 refers) for the continuation of use as a residential home by Camphill Village Trust was approved and confirmed that the use of the property was then C2 Residential Institution. The outbuilding to the front of the property formed part of that application for use as a 'therapeutic workshop' but is now used for some limited garaging and storage. At that time the property was to be occupied by five residents, three staff and two staff children. Information submitted with this current application indicates that the property is currently occupied by one resident.

3.0 PROPOSAL

- 3.1 The application seeks planning permission for the conversion of the property to form 5 x 1-bed self-contained flats for use by people with learning disabilities and includes provision for staff sleep-in and storage. An existing conservatory to the rear would be removed and replaced by a single storey flat roofed extension.
- 3.2 The existing access off the highway would be utilised to provide access to 7 existing parking spaces.
- 3.3 The Supporting Statement submitted with the application sets out that this large property *'is currently underused with one resident, however, as the number of overall bed spaces at Delrow Community reach capacity, the conversion of this house would provide much needed accommodation for residents with complex needs. This is a need throughout the area and the Camphill Village Trust work with local authorities to help fulfil those needs'*.
- 3.4 It is further set out that *'[d]ue to their various special needs, the Camphill Village Trust residents do not drive and any visiting carers would be parking at Delrow House which has adequate parking, and walking across to Little Delrow'*.

3.5 Key Characteristics

Site Area	2400 square metres
Density	N/A
Mix	5 x 1-bed
Dimensions	See plans
Number of Car Parking Spaces	7

4.0 RELEVANT PLANNING HISTORY:

Reference number	Description	Date and outcome
TP/90/0195	Continuation of use as residential home by Camphill Village Trust	30 April 1990 Grant Permission

5.0 CONSULTATION & RESPONSES

5.1 Notices

Site Notice (Generic) Expiry Date: 10 December 2019

Herts Advertiser 14th November 2019 Expiry Date: 5th December 2019

5.2 Summary of consultation responses

Consulted:

Consultee	Date Consulted
Housing	7 November 2019
CIL	7 November 2019
Senior Traffic Engineer	7 November 2019
Drainage Services	7 November 2019
Waste Management Services	7 November 2019
EDF Energy Networks	7 November 2019
Cadent Gas Limited (Prev National Grid Company Plc)	7 November 2019
Thames Water Development Planning	7 November 2019
Affinity Water Limited	7 November 2019
HCC Planning Obligations Officer	7 November 2019
Highways HCC	7 November 2019
Aldenham Parish Council	7 November 2019
Radlett Society And Green Belt Association	7 November 2019
Patchetts Green, Roundbush & Aldenham Conservation Society	7 November 2019
Natural England Consultation Service	7 November 2019
Place Services - Essex County Council - Conservation Advice	7 November 2019
Tree Officer	7 November 2019

Responses:

Consultee	Comment
Housing	No comments
Drainage Services	No comments
Waste Management Services	No comments
HCC Planning Obligations Officer	No comments

Consultee	Comment
Highways HCC	The planning statement indicates that the residents will not drive and that the parking spaces will be for the staff and visitors. There will be sufficient space to enable passenger vehicles to turn and exit in a forward gear. The proposed development is unlikely to be detrimental to highway safety or to the freeflow of traffic and therefore the Highway Authority has no objection to Planning Consent.
Aldenham Parish Council	No objections
Natural England Consultation Service	No comments
Place Services - Essex County Council - Conservation Advice	The proposed works would not in my opinion have an adverse impact upon the character and appearance of the Patchetts Green & Delrow Conservation Area or the setting of the Grade II listed barn to the south. As such, I do not object to permission being granted.

5.3 Neighbour responses

In Support	Against	Comments	Neighbours Notified	Contributors Received
0	0	0	9	0

6.0 PLANNING POLICY CONTEXT

6.1 Policy Designation

Green Belt
Conservation Area

6.2 National Policy/Guidance

National Planning Policy Framework 2019 (NPPF)
Planning Practice Guidance (PPG)
Technical Housing Standards – nationally described space standard (2015)

6.3 The Development Plan

**Adopted Hertsmere Local Plan:
Development Plan Document Core Strategy 2013**

Policy: SP1 Creating sustainable development
Policy: SP2 Presumption in Favour of Sustainable Development
Policy: CS1 The supply of new homes
Policy: CS2 The location of new homes
Policy: CS13 The Green Belt

Policy: CS14 Protection or enhancement of heritage assets
Policy: CS16 Environmental impact of development
Policy: CS25 Accessibility and parking

Site Allocations and Development Management Policies Plan 2016

Policy: SADM3 Residential Developments
Policy SADM12 Trees and Landscaping
Policy: SADM26 Development Standards in the Green Belt
Policy: SADM29 Heritage Assets
Policy: SADM30 Design Principles
Policy: SADM40 Highway and Access Criteria for New Development

6.4 Supplementary Planning Guidance / Documents

Guidelines for Development – Part D 2013 of the Planning and Design Guide
SPD
Parking Standards SPD 2014
Affordable Housing SPD 2015

7.0 ASSESSMENT AND REASONED JUSTIFICATION

7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that 'If regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the development plan unless material consideration indicate otherwise'.

7.2 The proposal raises the following key issues:

- Principle of Development
 - Principle of Proposed Use
 - Impact on the Green Belt
- Residential Developments
- Affordable Housing
- Design and Impact on heritage assets
- Impact on Residential Amenity
- Other Matters

Principle of Development

Principle of Proposed Use

7.3 The NPPF encourages housing for different groups with paragraph 59 stating, among other things, that it is important that a sufficient amount and variety of land can come forward where it is needed and that the needs of groups with specific housing requirements are addressed.

7.4 In that regard, PPG (2019) sets out that the provision of appropriate housing for people with disabilities, including specialist and supported housing, is

crucial in helping them to live safe and independent lives. Further to that PPG advises that providing suitable housing can enable disabled people to live more independently and safely, with greater choice and control over their lives. Without accessible and adaptable housing, disabled people risk facing discrimination and disadvantage in housing.

- 7.5 This proposal does not seek to change the use of the building to provide accommodation for people with learning disabilities, that C2 use was established in 1990 under application reference TP/90/0195. This proposal does seek to convert the existing property into 5 x self-contained units but is considered to maintain that C2 use where an element of care is provided and where the use is part of the wider institutional use associated with the Camphill Village Trust.
- 7.6 Among other things Policy SADM3 seeks to restrict the conversion of existing homes to self-contained units where there would be more than 1 in 5 conversions in a defined row of houses. In this case, whilst there are other properties along Summerfield Lane that are owned and used by CVT none of them are self-contained units and this proposal would therefore be acceptable in that regard and it is considered that the principle of the use proposed would be acceptable.

Impact on the Green Belt

- 7.7 The NPPF, Core Strategy Policy CS13 and SADM Policy SADM26 contain a general presumption against inappropriate development in the Green Belt. Paragraph 143 of the NPPF sets out that; “[i]nappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances”. Paragraph 145 of the NPPF goes on to say that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt, with certain exceptions.
- 7.8 In this case, an extension to the existing building is proposed which can be considered an exception to the general presumption by virtue of paragraph 145(c) provided the extension does not result in disproportionate additions over and above the size of the original dwelling.
- 7.9 In that regard, the new extension would replace an existing conservatory which has a footprint of 28m² and a volume of 73m³ with the new building having a footprint of 15m² and a volume of 50m³ thereby representing a reduction in built form over the site.
- 7.10 No additional car parking is proposed over the existing provision and the number of people resident at the property would be fewer than the 10 allowed under application reference TP/90/0195 which is not considered to represent any increase in the intensity of the use in this location.
- 7.11 Given the above, it is considered that the use and the extent of built form proposed with this application would be acceptable in the Green Belt and that

the proposal would be acceptable with regard to the NPPF and Policies CS13 and SADM26 as they relate to development in the Green Belt.

Residential Developments

- 7.12 Policy SADM3 sets out that the conversion of existing homes to smaller self-contained units will be refused planning permission if:
- (i) there would be insufficient off-street parking provision (in line with the Parking Standards SPD) and the potential effect on the adjoining highway would be unsatisfactory;
 - (ii) the size of garden space would be inadequate or access to it would be difficult;
 - (iii) there would be inadequate provision for the storage and collection of waste, or
 - (iv) there would be more than 1 in 5 conversions in a defined row of houses.
- 7.13 With regard to off-street car parking provision, given the nature of the use it is accepted that residents of the property would not drive and would therefore not require parking spaces. Whilst there are 7 parking spaces shown on the submitted site plan these are not laid out formally on the ground and represent a maximum provision where some of the space is also used as residential terrace. However, notwithstanding whether or not staff would park their vehicles at Delrow House and walk across to this facility, as set out in the submitted Supporting Statement, the provision of 7 available parking spaces on site is as exists and certainly would not be considered insufficient for staff and visitors.
- 7.14 The size of the rear garden measures some 461m² which is considered to be wholly adequate and there is sufficient space for the storage and collection of waste. As discussed above, there would not be 1 in 5 conversions in a defined row of houses if this application is approved and the proposal is therefore considered to comply with the relevant criteria of Policy SADM3.

Affordable Housing

- 7.15 The NPPF 2019 advises that the provision of affordable housing should not be sought for residential developments that are not major developments and defines major residential development as 'development where 10 or more homes will be provided or the site has an area of 0.5 hectares'. The proposal falls short of that threshold.

Design and Impact on heritage assets

- 7.16 An existing outbuilding at the property sits adjacent to a 17th century Grade II listed barn and the whole property is within the Patchetts Green & Delrow Conservation Area. The Council's Heritage Consultant was consulted on the application and advised that the proposal would not have an adverse impact upon the character and appearance of either heritage asset. The proposal

would therefore comply with the NPPF and Policies CS14 and SADM29 as they relate to the protection of heritage assets.

Impact on Residential Amenity

Neighbouring amenity

- 7.17 Policy SADM30 requires that, in order to achieve a high quality design, new development have only limited impacts on the amenity of the occupiers of the site, its neighbours and its surroundings in terms of outlook, privacy, light, nuisance and noise.
- 7.18 Given that the only extension proposed is a small single storey extension to replace an existing conservatory and that it would be set some 5m off the northern boundary and 10m off the southern boundary with no side windows proposed it is considered that the relationship with adjoining properties would remain unchanged in terms of any overlooking, outlook or loss of daylight/sunlight.
- 7.19 In terms of nuisance and noise disturbance, it is noted that the previous planning approval allowed for up to 10 occupants of the property, five of whom would have some form of learning disability, and this proposal is for five x 1-bed, 1-person units with 1 staff sleep-over unit thereby reducing the occupancy rate over the previously approved situation. Where there would be a reduction in the number of people living at the property it is considered reasonable to suggest that the current proposal would not have any greater impact over the existing situation and that the scheme would be acceptable having regard to Policy SADM30 as it relates to impacts on neighbouring occupiers.

Future amenity of occupants

- 7.20 The gross internal floor area of each unit measures as complying with DCLG nationally described space standards and there is sufficient space to the rear of the building to provide outdoor amenity space appropriate for a 1-bed units.

Other matters

CIL

- 7.21 The Community Infrastructure Levy (CIL) is a charge that raises funds to provide improved infrastructure in Hertsmere. It is charged on the increase in new build floor space or where new dwellings are provided (at a rate per m²), although there are exemptions and relief from paying CIL for developments under 100 square metres, self-build homes, affordable housing and development by charities (where for a charitable purpose). The remainder of the CIL receipts will be allocated by the Local Authority. The Council's CIL Charging Schedule sets a CIL rate of £120 per square metre for accommodation for the elderly and / or disabled, including any indexation.

Equalities and Diversity

7.22 The Council in the exercise of its functions recognises its statutory duty to have regard to the need to eliminate all types of discrimination, advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and to foster good relations between persons who share a relevant protected characteristic and persons who do not share it as required under section 149 of the Equality Act 2010. Section 149 of the Equality Act 2010 requires a decision-maker to have 'due regard' to achieving a number of equality goals. These goals are:

1. to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by the Act;
2. to advance equality of opportunity between those with protected characteristics and those without; and
3. to foster good relations between persons with a relevant protected characteristic and those without.

7.23 The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

7.24 The proposal would not conflict with either Hertsmere Borough Council's Equality Policy 2010 or the commitments set out in our Equality Objectives, and would support the Council in meeting its statutory equality responsibilities.

8.0 CONCLUSION

8.1 The proposal is considered to be acceptable in the context of national and local planning policy and other material considerations as set out in this report. Accordingly, planning permission is recommended to be granted subject to conditions and informatives.

9.0 RECOMMENDATION

9.1 It is recommended that planning permission is granted for the development, subject to the following conditions:

10. CONDITIONS/REASONS

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

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

01150-300-P01 LOCATION PLAN (received 05 November 2019)

01150-301-P02 EXISTING AND PROPOSED PLANS (received 19 December 2019)

01150-302-P01 EXISTING AND PROPOSED ELEVATIONS (received 06 November 2019)

01150-303 SITE PLAN (received 25 November 2019)

SUPPORTING STATEMENT (received 25 November 2019)

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

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that the finished appearance of the development will enhance the character and visual amenities of the area. To comply with Policies SADM3 and SADM30 of the Site Allocations and Development Management Policies Plan 2016 and Policy CS22 of the Hertsmere Core Strategy 2013.

11. GENERAL REASON(S) FOR GRANTING PERMISSION

The principle of development is considered acceptable and satisfactory with regard to impact on the Green Belt and heritage assets, impact on residential amenity, pedestrian and highways safety and waste storage. The proposal therefore complies with the NPPF (2019), The Equalities Act 2010, The Community Infrastructure Levy Regulations, Core Strategy 2013 Policies SP1, SP2, CS1, CS2, CS13, CS14, CS16 and CS25, Site Allocations and Development Management Policies Plan 2016 Policies SADM3, SADM12, SADM13, SADM26, SADM29, SADM30 and SADM40 and Supplementary Planning Documents: Planning and Design Guide Part D - Guidelines for Development (Draft - 2016), Parking Standards (2014) and the Technical Note on Waste Storage Requirements (2017).

12.0 BACKGROUND PAPERS

1. The Planning application (19/1704/FUL) comprising application forms, certificate, drawings and any letters from the applicant in support of the application.
2. Replies from Statutory consultees and correspondence from third parties.
3. Any other individual document specifically referred to in the agenda report.
4. Published policies / guidance

11.0 INFORMATIVES

1. This application was determined taking regard for the guidance of the following policies: NPPF 2019, policies SP1, SP2, CS1, CS2, CS13, CS14, CS16 and CS25 of the Core Strategy 2013, Policies SADM3, SADM12, SADM13, SADM26, SADM29, SADM30 and SADM40 Hertsmere's Planning and Design Guide Draft SPD part D and the Parking Standards SPD.

2. Planning permission has been granted. The Council acted pro-actively with the applicant during the course of the application, which led to clarifications and improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186, 187 and 188) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

Case Officer Details

Patrick Haran - email address patrick.haran@hertsmere.gov.uk