

**Dacorum Borough Council
Planning Department**

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TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION - 4/01818/00/OUT

**40A CRESCENT ROAD, HEMEL HEMPSTEAD, HERTS, HP2 4AH
TWO-BEDROOM DWELLING (RESUBMISSION)**

Your application for outline planning permission dated 10 October 2000 and received on 12 October 2000 has been **GRANTED**, subject to any conditions set out overleaf.

Diana Noble

Development Control Manager

Date of Decision: 06 December 2000

CONDITIONS APPLICABLE TO APPLICATION: 4/01818/00/OUT

Date of Decision: 06 December 2000

1. Approval of the details of the design and external appearance of the building, and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced.

Reason: To comply with the provisions of Section 92 (2) of the Town and Country Planning Act 1990.

2. Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 92 (2) of the Town and Country Planning Act 1990.

3. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of the approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To prevent the accumulation of planning permission; to enable the Council to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 92 (2) of the Town and Country Planning Act 1990.

4. Details submitted in accordance with Condition 1 shall include the following:

- (a) site drainage and all service routes;**
- (b) existing and proposed levels of the land edged red and the surrounding land, in particular the precise relationship between the ridge level of the dwellinghouse with No.44 Crescent Road;**
- (c) disabled access to the building;**
- (d) boundary treatment.**

Unless otherwise agreed in writing by the local planning authority, the development shall be carried out in accordance with the approval obtained under Condition 1 in relation to the matters set out at (a) to (d) above before the first occupation of the dwellinghouse, and shall thereafter be retained fully

in accordance with the approved details.

Reason: In the interests of the proper planning of the site, with particular regard to the visual relationship within the street scene and especially No.44 Crescent Road, site drainage, disabled access, visual and residential amenity.

5. The dwellinghouse hereby permitted shall be designed in accordance with the following principles:

- (a) there shall be not more than two bedrooms;**
- (b) the first floor rear elevation shall contain only landing and bathroom windows, which shall be fitted with obscure glass and be non opening (with the exception of any top hung section);**
- (c) there shall be no first floor windows in the western flank wall;**
- (d) the front wall of the dwelling shall not be closer to Crescent Road than the main front wall of No. 44 Crescent Road;**
- (e) the height of the ridge of the dwelling shall not exceed that of No. 44 Crescent Road.**

Reason: To safeguard residential amenity, in the interests of the appearance of the dwellinghouse in relation to No. 44 Crescent Road and the local street scene on this prominent site.

6. The landscaping details to be submitted in accordance with Condition 1 shall include details of the size, species and positions or density of the trees and shrubs to be planted and the proposed time of planting.

Reason: In the interests of the visual and residential amenity of the area.

7. Any tree or shrub which forms part of the approved landscaping scheme which within a period of five years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a species, size and maturity to be approved by the local planning authority.

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area.

8. The dwellinghouse hereby permitted shall not be occupied until the driveways, garage and accesses for this dwellinghouse shall have been provided fully in accordance with details shown on Drawing No. Wren/NAJ/070/00 and they shall not be used thereafter otherwise than for the purposes approved. Within the areas coloured brown there shall be no development or parking of vehicles and no landscaping other than grass.

Reason: To ensure the adequate and satisfactory provision of off-street vehicle parking facilities and in the interests of highway safety. [NOTE: The areas coloured

brown must remain free from obstructions to visibility. Therefore these area should not be used for parking, nor should they contain fencing, other development or planting which could cause obstructions. It is important that this information is provided to future owners and occupiers of the site.]

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking 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 within either any part of the retained residential curtilage of No. 40A Crescent Road or the residential curtilage of the dwellinghouse hereby permitted unless otherwise agreed in writing by the local planning authority:

**Schedule 2 Part 1 Classes A, B, C, E and F;
Part 2 Classes A and B .**

Reason: 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 highway safety.

10. Before the dwellinghouse hereby permitted is first occupied the southern elevation of No.40A Crescent Road Hill shall be modified by:

- (a) infilling all of the existing "French Door" opening referred to on Drawing No. Wren/NAJ/070/00;**
- (b) replacing the plain glass of the side window labelled "A" with obscure glass.**

These modifications, once made, shall not be further changed or modified except as may be approved in writing by the local planning authority.

Reason: In the interests of safeguarding the residential amenity of the new dwellinghouse.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order) (with or without modification), following completion of the dwellinghouse hereby permitted and the elevational changes to No. 40A Crescent Road in accordance with Condition 10, no windows, dormer windows, doors or other openings other than those expressly authorised by this permission shall be constructed in either the dwellinghouse hereby permitted or No. 40A Crescent Road, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of safeguarding the residential amenity of Nos. 40A and 44 Crescent Road and the new dwellinghouse hereby permitted.

12. Samples of the obscure glass to be used for the windows subject to Conditions 5 and 10 shall be submitted to and approved in writing by the local planning authority. Only the approved type of obscure glass shall be installed

and thereafter there shall be no change to the type of glass except as may be agreed in writing by the local planning authority.

Reason: In the interests of safeguarding the residential amenity of the existing and new dwellinghouse and for the avoidance of doubt.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order) (with or without modification):

- (a) the existing garage serving No. 40A Crescent Road shall be kept available at all times for the parking of vehicles associated with the residential occupation of that dwelling, and it shall not be converted or adapted to form living accommodation; and,**
- (b) the dwellinghouse hereby permitted shall not contain more than two bedrooms.**

Reason: In the interests of highway safety.

14. The whole length of the existing boundary fence labelled "A-B" on Drawing No. Wren/NAJ/070/00 shall be retained at all times.

Reason: In the interests of the safeguarding the residential amenity of the new dwellinghouse and No. 40A Crescent Road.

15. No work shall be started on any part or parts of the development hereby permitted until either:

(a) there has been submitted to the local planning authority in respect of that part or parts of the development evidence that:

(i) there is no contamination of the land or groundwater in the land comprising that part or parts to be developed;

and

(ii) there is no likelihood that such contamination will occur of the land comprising that part or parts of the development as a result of development of other part or parts of the land the subject of this permission;

and the local planning authority have confirmed in writing that such evidence as submitted is acceptable;

OR

(b) a scheme has been submitted to and approved by the local planning authority indicating the extent of contamination of the land and/or groundwater in the land comprising the part or parts of the development and the means by which such contamination are to be controlled or removed;

and no part or parts of the development shall be carried out other than in

accordance with the approved plans and there shall be no soakaways installed on contaminated land.

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development.

NOTE:

The following policies of the development plan are relevant to this decision:

Hertfordshire Structure Plan Review 1991 - 2011

Policies 1, 2, 6, 22, 25, 29, 39 and 41

Dacorum Borough Local Plan

Part 3 General Proposals

Policies 1, 7, 8, 9, 10, 13, 15, 17, 49, 51, 54, 57, 59, 89 and 95

Part 5 Environmental Guidelines

Sections 1, 2, 3, 5, 6, 7 and 15

Dacorum Borough Local Plan 1991 - 2011 Deposit Draft

Part 3 General Proposals

Policies 1, 7, 8, 9, 10, 11, 15, 17, 18, 19, 20, 50, 52, 55, 59, 62, 64, 95 and 100

Part 4 Area Proposals

Development in Residential Areas - Character Area HCA13 Alexandra

Part 5 Environmental Guidelines

Sections 1, 2, 3, 5, 6, 7, 15 and 16