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# DEVELOPMENT MANAGEMENT AGENDA

**THURSDAY 23 FEBRUARY 2023 AT 7.00 PM  
COUNCIL CHAMBER, THE FORUM**

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The Councillors listed below are requested to attend the above meeting, on the day and at the time and place stated, to consider the business set out in this agenda.

### Membership

Councillor Guest (Chairman)	Councillor Douris
Councillor C Wyatt-Lowe	Councillor Williams
Councillor Beauchamp (Vice-Chairman)	Councillor Hollinghurst
Councillor Durrant	Councillor Stevens
Councillor Hobson	Councillor Tindall
Councillor Maddern	Councillor Riddick
Councillor McDowell	

For further information, please contact Corporate and Democratic Support or 01442 228209

## AGENDA

### 1. MINUTES

To confirm the minutes of the previous meeting (these are circulated separately)

### 2. APOLOGIES FOR ABSENCE

To receive any apologies for absence

### 3. DECLARATIONS OF INTEREST

To receive any declarations of interest

A member with a disclosable pecuniary interest or a personal interest in a matter who attends a meeting of the authority at which the matter is considered -

- (i) must disclose the interest at the start of the meeting or when the interest becomes apparent and, if the interest is a disclosable pecuniary interest, or a personal interest which is also prejudicial
- (ii) may not participate in any discussion or vote on the matter (and must withdraw to the public seating area) unless they have been granted a dispensation.

A member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Members' Register of Interests, or is not the subject of a pending notification, must notify the Monitoring Officer of the interest within 28 days of the disclosure.

Disclosable pecuniary interests, personal and prejudicial interests are defined in Part 2 of the Code of Conduct For Members

[If a member is in any doubt as to whether they have an interest which should be declared they should seek the advice of the Monitoring Officer before the start of the meeting]

It is requested that Members declare their interest at the beginning of the relevant agenda item and it will be noted by the Committee Clerk for inclusion in the minutes.

#### **4. PUBLIC PARTICIPATION**

An opportunity for members of the public to make statements or ask questions in accordance with the rules as to public participation.

Time per speaker	Total Time Available	How to let us know	When we need to
3 minutes	Where more than 1 person wishes to speak on a planning application, the shared time is increased from 3 minutes to 5 minutes.	In writing or by phone	5pm the day before meeting.

You need to inform the council in advance if you wish to speak by contacting Member Support on Tel: 01442 228209 or by email: [Member.support@dacorum.gov.uk](mailto:Member.support@dacorum.gov.uk)

The Development Management Committee will finish at 10.30pm and any unheard applications will be deferred to the next meeting.

There are limits on how much of each meeting can be taken up with people having their say and how long each person can speak for. The permitted times are specified in the table above and are allocated for each of the following on a 'first come, first served basis':

- Town/Parish Council and Neighbourhood Associations;
- Objectors to an application;
- Supporters of the application.

Every person must, when invited to do so, address their statement or question to the Chairman of the Committee.

Every person must after making a statement or asking a question take their seat to listen to the reply or if they wish join the public for the rest of the meeting or leave the meeting.

The questioner may not ask the same or a similar question within a six month period except for the following circumstances:

- deferred planning applications which have foregone a significant or material change since originally being considered
- resubmitted planning applications which have foregone a significant or material change
- any issues which are resubmitted to Committee in view of further facts or information to be considered.

At a meeting of the Development Management Committee, a person, or their representative, may speak on a particular planning application, provided that it is on the agenda to be considered at the meeting.

**Please note:** If an application is recommended for approval, only objectors can invoke public speaking and then supporters will have the right to reply. Applicants can only invoke speaking rights where the application recommended for refusal.

## 5. INDEX TO PLANNING APPLICATIONS (Page 5)

- (a) 22/03760/FHA - One and a half storey rear extension including room in roof space, extension to existing side dormer, re-roof with new tiles, reconstruct attached garage to side and installation of new doors and windows - 29 Langley Hill, Kings Langley, Hertfordshire, WD4 9HA (Pages 6 - 22)
- (b) 22/03334/FHA - First floor front and side extension and loft conversion comprising of rear and side dormers resulting in a crown roof, partial garage conversion - 4 Coniston Road, Kings Langley, Hertfordshire, WD4 8BU (Pages 23 - 31)
- (c) 22/03690/FHA - Proposed two storey side extension - 62 Highfield Road, Berkhamsted, Hertfordshire, HP4 2DD (Pages 32 - 38)
- (d) 22/03810/FHA - Single and two storey rear extension - 16 Croft Cottages, Croft Lane, Chipperfield, Kings Langley, Hertfordshire, WD4 9DX (Pages 39 - 45)

**6. APPEALS UPDATE** (Pages 46 - 55)

## INDEX TO PLANNING APPLICATIONS

<b>Item No.</b>	<b>Application No.</b>	<b>Description and Address</b>	<b>Page No.</b>
<b>5a.</b>	22/03760/FHA	One and a half storey rear extension including room in roof space, extension to existing side dormer, re-roof with new tiles, reconstruct attached garage to side and installation of new doors and windows 29 Langley Hill, Kings Langley, Hertfordshire, WD4 9HA	
<b>5b.</b>	22/03334/FHA	First floor front and side extension and loft conversion comprising of rear and side dormers resulting in a crown roof, partial garage conversion 4 Coniston Road, Kings Langley, Hertfordshire, WD4 8BU	
<b>5c.</b>	22/03690/FHA	Proposed two storey side extension 62 Highfield Road, Berkhamsted, Hertfordshire, HP4 2DD	
<b>5d.</b>	22/03810/FHA	Single and two storey rear extension 16 Croft Cottages, Croft Lane, Chipperfield, Kings Langley	

# Agenda Item 5a

ITEM NUMBER: 5a

22/03760/FHA	One and a half storey rear extension including room in roof space, extension to existing side dormer, re-roof with new tiles, reconstruct attached garage to side and installation of new doors and windows	
Site Address:	29 Langley Hill, Kings Langley, Hertfordshire, WD4 9HA	
Applicant/Agent:	Mr Chris Baker	Mr Luis Nieves
Case Officer:	Nicole Quinn	
Parish/Ward:	Kings Langley Parish Council	Kings Langley
Referral to Committee:	Contrary views of Parish Council	

## 1. RECOMMENDATION

1.1 That planning permission be **GRANTED** subject to conditions.

## 2. SUMMARY

2.1 The application site is located within residential area of Kings Langley wherein the proposed development is acceptable in principle, in accordance with Policies CS1 and CS4 of the Dacorum Borough Core Strategy (2013).

2.2 The overall size, scale and design of the proposed alterations are acceptable, they relate well to the parent dwelling, and would not result in any harm to the character or appearance of the street scene/area. The works are not considered to have any significant adverse impacts on the residential amenity of neighbouring properties by being visually overbearing or resulting in a loss of light or privacy.

2.3 Furthermore, it is not considered that the scheme would have an adverse impact on the road network or create significant parking stress in the area.

2.4 Given all of the above, the proposal complies with the National Planning Policy Framework (2021), Policies CS1, CS4, CS8 CS11, CS12 of the Dacorum Borough Core Strategy (2013), Saved Appendices 3 and 7 of the Local Plan (2004) and the Parking Standards Supplementary Planning Document (2020).

## 3. SITE DESCRIPTION

3.1 The application site is located within a residential area of Kings Langley. The site comprises a two storey detached dwelling.

## 4. PROPOSAL

4.1 This application seeks permission for a one and a half storey rear extension including room in roof space, extension to existing side dormer, re-roof with new tiles, reconstruct attached garage to side and installation of new doors and windows.

4.2 The application has been amended since the original submission by removing the proposed patio to the rear.

## **5. PLANNING HISTORY**

Planning Applications: None

Appeals: None

## **6. CONSTRAINTS**

CIL Zone: CIL2

Former Land Use (Risk Zone):

Heathrow Safeguarding Zone: LHR Wind Turbine

Large Village: Kings Langley

Parish: Kings Langley CP

RAF Halton and Chenies Zone: Yellow (45.7m)

Residential Area (Town/Village): Residential Area in Town Village (King Langley)

Parking Standards: New Zone 3

EA Source Protection Zone: 3

EA Source Protection Zone: 2

## **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)

Kings Langley Neighbourhood Plan 2020-2038

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  
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 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 Kings Langley, wherein in accordance with Policy CS4 of the Core Strategy (2013) the principle of residential development is acceptable subject to compliance with the relevant national and local policies. The main issues of consideration relate to the impact of the proposal's character and appearance upon the existing dwelling house, immediate street scene and residential amenity of neighbouring properties.

### Quality of Design / Impact on Visual Amenity

9.3 Chapter 12 of the Framework emphasises the importance of good design in context and, in particular, paragraph 134 states that development which is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design taking into account any local design guidance and supplementary planning documents. Dacorum's Core Strategy Policies CS11 (Quality of Neighbourhood Design) and CS12 (Quality of Site Design) state that development within settlements and neighbourhoods should preserve attractive streetscapes; integrate with the streetscape character and respect adjoining properties in terms of scale, height, bulk and materials. The Kings Langley Neighbourhood Plan 2020-2038 (Appendix B) Policy HO.11 (Extensions and Alterations) state that external alterations should respect or enhance the visual appearance of the original buildings and the character of the wider street scene.



9.4 It is acknowledged that the size of the proposed dormer is in accordance with Saved Policy Appendix 7 (Small-scale house extensions) as the proposed development is both set up and set in from the roof slope. The proposed extension of the dormer window is not much larger than the two dormer windows as existing, therefore the proposed development is considered acceptable. The proposed dormer window is located no closer to the front elevation of the dwelling than what is existing.

9.5 The proposed one and a half storey extension located to the rear of the dwelling and is considered to be a subordinate addition to the host dwelling, the first floor aspect is located off of the shared boundary from both adjoining neighbours. The design of the proposed extension is complimentary to the existing dwellinghouse and is considered acceptable. The proposed development is located to the rear of the dwelling and will therefore not have a negative impact on the street scene or the surrounding area.

9.6 The proposed materials slightly differ to that of the existing dwellinghouse, however as all dwellings within the street scene are made up of a range of materials and as the application site is not located within a sensitive location, it is therefore considered acceptable.

9.7 The application site is located between Conservation Areas, but not located within a Conservation Area itself. Following on from comments received objecting to the proposed development, I sought informal comments from the Conservation and Design officer who confirmed that the proposed development would not have a negative impact on the area.

9.8 The re-construction of the detached garage and alterations to openings do not raise any concerns in terms of design.

9.9 Therefore it is considered that the proposal would be sympathetic and in keeping with the surrounding area, respect adjoining properties and would therefore result in no significant adverse effects on the character and appearance of the streetscene in terms of visual and residential amenity. This accords with the local and national policies mentioned above

#### Impact on Residential Amenity

9.10 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 neighbouring properties and their amenity space. Thus, the proposed should be designed to reduce any impact on neighbouring properties by way of visual intrusion, loss of light and privacy.

9.11 No. 27 Langley Hill:

No. 27 is located to the East of the application site. The proposed extension to the existing dormer window is screened by the existing dwelling and therefore will not have a negative impact on the neighbouring amenity of the occupiers at No. 27. The proposed one and a half storey rear extension has a depth of approx. 4.5m, however it does not extend beyond the rear of No. 27 by more than 3m and as it is located off the shared boundary with No. 27 at ground level and first floor level, it therefore does not have a negative overbearing impact, cause any visual intrusion or intrude into the 45 degree line causing a loss of light to the occupiers of No.

27. There are no privacy concerns as there are no proposed openings to the side elevation facing towards No. 27. The proposed balcony also does not raise any privacy concerns as the wall from the proposed rear extension screens any proposed views towards No. 27, and as there are already rear facing windows to the rear elevation of No. 29 the proposed balcony facing to the rear will not have a detrimental impact on privacy in comparison to what is already existing on site.

#### 9.12 No. 31 Langley Hill:

No. 31 is located to the West of the application site. The proposed extension of the existing dormer window does not raise any neighbouring amenity concerns as the size is only slightly larger than the dormer windows already existing on site and would not have additional impact on the neighbouring amenity of the occupiers of No. 31. Furthermore, there are no existing windows on the side elevation of No. 31 and therefore there are no privacy concerns. The proposed one and a half storey rear extension has a depth of approx. 4.5m, however there is an existing single storey detached garage located along the shared boundary with No. 31 and due to the sufficient separation distance of approx. 4.5m between the proposed extension and the dwelling of No. 31, it therefore does not have a negative overbearing impact or cause a loss of light to the occupiers of No. 31 as the proposed extension will not intrude into the 45 degree line. There are two proposed windows at first floor facing towards No. 31, however, as these both occupy non-habitable rooms which are to be obscure glazed, it raises no privacy concerns. The proposed balcony also does not raise any privacy concerns as there is a wall on the side elevation facing towards No. 31, and as there are already rear facing windows to the rear elevation of No. 29 the proposed balcony facing to the rear will not have a detrimental impact on privacy in comparison to what is already existing on site. The new proposed garage does not extend any further along the boundary than the existing garage as it is to be replaced at the same size and in the same location as the existing and will therefore not have a negative impact on the neighbouring amenity of the occupiers of No. 31.

9.13 The proposed balcony does not raise any concerns facing dwellings to the rear of the application site due to the sufficient separation distance between the proposed development and the dwellings. Furthermore, there are already rear facing windows, this will not have a detrimental impact in comparison to the site as existing.

9.14 Adequate garden amenity space would also be retained at the rear for the use and enjoyment of occupiers of the extended dwelling.

#### Impact on Highway Safety and Parking

9.15 The NPPF (2021), Policies CS8 and CS12 of the Dacorum Borough Core Strategy (2013), and the Parking Standards Supplementary Planning Document (2020) all seek to ensure that new development provides safe and sufficient parking provision for current and future occupiers.

9.16 The application does seek to demolish the existing garage and re-build a new one, however both the existing and proposed are not large enough to be considered a parking space and therefore does not result in a loss or addition of parking. The proposal does not increase

the number of habitable rooms within the property. Furthermore adequate off street parking is provided by way of a private driveway. As such there are no significant concerns regarding parking or highway safety in relation to this planning application.

9.17 Overall, it is considered that the proposal would not result in an unacceptable impact on highway safety.

### Other Material Planning Considerations

#### *Impact on Trees and Landscaping*

9.18 Section 6 of the application form states that trees or hedges are within falling distance of the proposed development and that no tree or hedges need to be removed or pruned in order to carry out the proposal. The proposal would not affect any significant trees/landscaping as the application site is not within a Conservation area and there are no TPO's on site.

*The Town Council have provided the following response:*

9.19 Loss of daylight and impact on privacy – This has been addressed above in the 'neighbouring amenity' section of the report.

9.20 Overbearing and cramped nature of the development on the plot itself and adjoining properties – The proposed development is not considered to appear overbearing or cramped given the plot sizes within this street and most of the development is located a sufficient distance off of each boundary. The proposed garage is located in the same location as the existing garage with a limited extension to the front. Therefore the proposed development is considered a subordinate addition to the host dwelling.

9.21 Ground levels have been mis-described and plans have failed to take in to account the difference between the highest and lowest elevations – The plans provided do show a difference in land levels and after visiting site these are considered acceptable.

### Response to Neighbour Comments

9.21 An objection has been received from No. 27 Langley Hill, raising the following points:

- Inaccurate plans provided – The Site Location Plan submitted clearly shows the outline of No. 29 Langley Hill and is considered acceptable as it is required to show the boundary outlining where the proposed works will take place. There are also previous applications for this site where the Site Location Plan submitted shows the same boundary. The objection states that the elevations do not illustrate a difference in land levels, however both the existing and proposed elevations do illustrate a difference in land levels, and after completing a site visit the plans provided are considered sufficient. It is also not a requirement for the plans to show a labelled illustration of No. 27 within the elevations, therefore this is not required for the planning application.
- Description of proposed development – The description has been amended to ensure that the proposed development is clear and is considered acceptable. The proposed rear extension can be classed as a one and a half storey extension.

- Loss of light, privacy and visual intrusion – This has been addressed above within the ‘neighbouring amenity’ section of the report. The 45 degree line has been illustrated by the agent in the additional information submitted in response to the neighbour objections.
- Quality of design – This has been addressed within the ‘Quality of design/ impact on visual amenity’ section of the report.
- Concerns regarding neighbouring amenity from patio – This has now been omitted from the proposal.
- Tree removal – The tree is not a TPO and as the application site is not located within a Conservation Area, the tree can be removed without any consent if the applicant wishes to do so, and does not affect the outcome of this application.

9.22 An objection has been received from No. 31 Langley Hill, raising the following points:

- Out of keeping with the character of the area – This has been addressed within the ‘Quality of design/ impact on visual amenity’ section of the report.
- Description of proposed development – The description has been amended to ensure what is proposed is clear and is considered acceptable.
- Garage – The new garage proposed is considered a as it is the same size and location as the existing garage on site, this is therefore considered acceptable. The proposed garage also does not raise any neighbouring amenity concerns to No. 31 in comparison to what is already existing on site. The existing garage is along the shared boundary, therefore by replacing the garage along the shared boundary this is considered acceptable and similar to what is already existing on site.
- Overbearing and Loss of light – This has been addressed above within the ‘neighbouring amenity’ section of the report.

9.23 It is not considered a daylight/ sunlight assessment is not necessary as the proposed garage is single storey only and not much larger in comparison to what is already existing on site. The proposed rear extension is located off the shared boundary with both adjoining properties at ground and first floor level which therefore will not have a detrimental impact on loss of light on either neighbour.

#### Community Infrastructure Levy (CIL)

9.24 Policy CS35 of the Core Strategy requires all developments to make appropriate contributions towards infrastructure required to support the development. These contributions will normally extend only to the payment of CIL where applicable. The Council's Community Infrastructure Levy was adopted in February 2015 and came into force on 1 July 2015. CIL relief is available for affordable housing, charities and Self Builders and may be claimed using the appropriate forms.

## **10. CONCLUSION**

10.1 It is not felt that the works would have an adverse impact on the appearance of the dwelling or would significantly impact the street scene. The development would not have a detrimental impact on the amenity of neighbouring properties or highway safety/car parking. Therefore, the proposal is acceptable in accordance with the aims of the National Planning Policy Framework 2021 and Policies CS11 and CS12 of the Core Strategy 2006-2031.

## **11. RECOMMENDATION**

11.1 It is recommended that planning permission be GRANTED, subject to the conditions below.

**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:**

Drg No. 2230/02-1E, Proposed Plans  
Drg No. 2230/02-2E, Proposed Elevations  
Drg No. 2230/01-0, Block Plans and Site Location Plan  
Planning 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.**

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 window(s) at first floor level in the west elevation of the extension hereby permitted shall be permanently fitted with obscured glass unless otherwise agreed in writing by the Local Planning Authority.**

Reason: In the interests of the residential amenities of the occupants of the adjacent dwellings in accordance with Policy CS12 (c) of the Dacorum Borough Council Core Strategy (2013) and Paragraph 130 (f) of the National Planning Policy Framework (2021).

**Informatives:**

1. 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 (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

## APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Kings Langley Parish Council	<p>Objection</p> <p>Loss of daylight and impact on privacy.</p> <p>Overbearing and cramped nature of the development on the plot itself and adjoining properties.</p> <p>Ground levels have been mis-described and plans have failed to take in to account the difference between the highest and lowest elevations.</p>

## APPENDIX B: NEIGHBOUR RESPONSES

### Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
5	4	0	4 (including 3 from 1 address)	0

### Neighbour Responses

Address	Comments
31 Langley Hill Kings Langley Hertfordshire	<p>Introduction: We live in 31 Langley Hill and have done so for 23 years. We wish to object to the above application for the reasons set out below.</p> <p>Description of existing house: The application site is the central</p>

<p>WD4 9HA</p>	<p>property in Photo 1 below. Our home is to the left.</p> <p>Photo 1</p> <p>The house is built in a distinctive style, which was originated by a developer called Hicks in the 1930's. Please note that the house is a two storey dwelling and makes a similar contribution to the street scene to that made by no 27 to the right. It is bulked up by substantial dormers that can be seen projecting from the side elevations.</p> <p>To understand this house type, please refer to Photo 2 below which is taken from the cover of a Conservation Area Appraisal published by Hertsmere Borough Council concerning the "Royds Estate" in Potters Bar (which was developed by Hicks) and is now designated as a Conservation Area. The house on the immediate left-hand side appears to be very similar to 29 Langley Hill.</p> <p>Photo 2</p> <p>The photograph shows there is a considerable difference in scale between a house like 29 Langley Hill and the neighbouring bungalows (also developed by Hicks). The analysis by Hertsmere described this house type as a detached house type that is characterised by a wide gabled roof extending forward and over a single front projecting wing with a bay window and adjacent veranda style entrance porch. It is explained that deeply recessed to the rear of the veranda is a central angled main entrance and the veranda style porch is supported by either elegant columns. A number of variants were used, including two, three, and four bedroom versions. All versions were designed to have the bedrooms at first floor level with the additional space required being provided by dormer windows.</p> <p>In our opinion the proposed development should be described as the full height extension of a two storey house with a ridge height of 7+ metres which extends approx. 4.5 metres into the rear garden. That would convey the potential impact of the proposed development on the character of the area and on the amenities of adjoining properties more clearly than the description of the development which is reproduced above.</p> <p>Objection to proposals for the garage</p> <p>We have included Photo 3 below which is taken from within our garden towards the application site. The garage is in the location that is similar arrangement to those found on the Royds estate. The garage is sited to the rear of the house and overlaps the gap between the house and the boundary wall which means a part of the garage is set behind the house.</p> <p>The external wall of the garage facing our property is sited on the property boundary which means there is no fence in this location.</p>
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	<p>However the application proposes that the garage should be rebuilt in the same location.</p> <p>We assume the reason it is kept in its current location is that the proposed development is very cramped. By extending the house by approx. 4.5m the extension will be built alongside the garage for approx. 60% of the garages length. This means that the wall of the extension will also have to form the side wall of the garage and as a result there will be no space available to enable the garage to be brought back from the application site boundary.</p> <p>We propose that the garage should be moved away from the boundary and object to the application as we consider that the appropriate location for the garage would be set back from the boundary in the normal way to allow for fencing and for maintenance.</p> <p>We also object to the proposals as the extension to the house, combining with the garage will lead to a dense and overbearing form of development which will be harmful to the character of the area.</p> <p>Photo 3</p> <p>Objection on the basis of the impact on the residential amenities of no 31 Langley Hill.</p> <p>The proposed development will have a harmful effect on our kitchen which is the heart of the house. In particular there is a window which faces east at ground floor level which allows the kitchen to be lit by the morning sun and provides an outlook over the valley.</p> <p>First, we looked at the impact on someone moving about the kitchen. Photo 4 is taken from a standing position looking through the window towards the application site. This viewpoint was chosen as it shows the rear of the existing property on the application site beyond our house. If you look at the photograph you will see in the foreground through the window the bay window of our property and then you can see the north elevation of the application site. Please note that the ridge of No 29 Langley Hill cannot be seen as it is too high.</p> <p>As the proposed extension would extend across any line of sight from the window this means that if the extension were to be carried out as proposed that all that could be seen through the window would be the garage and the extension. Photo 5 shows this effect by blocking out in dark red the sky and trees that can be seen at present.</p> <p>Photo 4</p> <p>Photo 5</p> <p>We then analysed the impact on somebody sitting at the table. Photo 6 shows the current view from one of the dining chairs, and Photo</p>
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	<p>seven shows how much of that view would be lost due to the proposed extension. As someone sitting at the table would have a lower viewpoint than someone walking around the kitchen, some sky would be visible over the ridge of the extension when sitting at the table which would not be visible when walking about. However that would be of limited benefit as the head would have to be tilted upwards.</p> <p>Photo 6</p> <p>Photo 7</p> <p>We therefore wish to object to the application on the basis that the proposed development would be completely overbearing and would remove daylight and sunlight from this critical window.</p> <p>Concluding Remarks</p> <p>On the basis of our analysis of the above application we wish to object to the proposed development for the reasons set out above.</p> <p>As a result we have concluded the proposal would have:</p> <ul style="list-style-type: none"> <li>- a harmful effect on the character and appearance of the area;</li> <li>- A detrimental impact on the residential amenities of 31 Langley Hill.</li> </ul> <p>In the event that, notwithstanding our objections, you give consideration to the possibility of granting planning permission for this development, we request that you do not do so without obtaining a full daylighting and sunlighting assessment and fully accurate plans including ground levels.</p>
<p>27 Langley Hill Kings Langley Hertfordshire WD4 9HA</p>	<p>Comments: Following my objections as submitted below, on 12/1/22, I wish to add the following additional information regarding :</p> <p>The tree shown on the pictures, posted on Documents 20221227_145057 and 20221277_143743 showing a large, tall evergreen Cypress ( Sempervirens?), is not described on the initial application as , when asked about whether any trees need to be removed, the applicant has stated "No". However, this tree is shown on the existing plan 2230/01, but is not shown on any of the proposed extension plan, implying that this tree will be removed! As this tree is growing on a heavy clay soil, the risk of subsidence/ progressive heave is highly likely, if the tree is removed.</p> <p>The tree is sited exactly on the proposed building line and I currently have grave concerns over the tree's removal, rather than keeping it there and pruning as necessary.</p> <p>Re; 22/03760/FHA 29 Langley Hill, Kings Langley WD4 9HA</p>

	<p>I wish to Strongly object to this planning application as it does not seem to meet Dacorum Planning policies:</p> <p>Re Core Strategy CS12, these plans seem to contradict this particular policy as follows:</p> <ol style="list-style-type: none"><li>1) Visual intrusion ( THE PROPOSAL DESCRIBES A ONE STORY EXTENSION BUT, IS, IN FACT A TWO STORY EXTENSION)!!!</li><li>2) Loss of sunlight and daylight due to length,and height of the proposed extension and the ground levels.</li><li>3) Loss of privacy, due to the full width north facing glass balcony overlooking our garden.</li><li>4) No regard to adjacent properties re: Scale, Height, Bulk, Materials- grey slate tiles are out of character.</li></ol> <p>Re: The Dacorum Local Plan (2004) Appendix 7.2v, these plans seem to contravene this policy as follows:</p> <ol style="list-style-type: none"><li>1) Effect on neighbouring properties (Sunlight and daylight) and overshadowing.</li><li>2) Extent of height and length of extension, seriously effects the daylight and sunlight to our garden and property, especially as the rear of the property is north facing, and the extension will seriously block all the afternoon and evening sun , both to our patio and our neighbours below us.</li><li>3) The 45 degree line of sight from my study window, being the nearest window to the boundary, dissects the extension plan at approx. 2.3metres. (The proposed length of the extension is 4.65m).This shows that the dimensions of the proposed extension are unacceptable.</li><li>4) Individual site factors such as orientation and levels. The ground levels have not been considered on the plans. There is no sloping site plan and no illustration of the 1 metre plus, drop between 29 and 27 and all the other houses on this sloping hill. The proposed 7m height extension will therefore be over 8m in height from our house and garden. It will of course overbear us, especially, as its under a meter's width from our boundary!</li></ol> <p>There have also been no full , patio/terrace measurements or plans submitted for planning. In view of the differences in levels, to prevent overlooking, it needs to be set down on the site. I am very concerned that if the patio is built according to the one "step" as shown, the levels are likely to be at an unacceptable level ,causing/leading to more privacy issues in our garden.</p> <p>I therefore strongly object to the above plans in their current</p>
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	form.
<p>27 Langley Hill Kings Langley Hertfordshire WD4 9HA</p>	<p>OBJECTIONS RE: 22/03760/FHA. I am objecting to this revised application, which is now described as “a one and a half storey extension”, rather than the “one storey extension” described on the previous application submitted on 20/12/2022. As the plans have not changed in any way, and the fact that the applicant, Mr Baker, has verbally described his proposal, to me, as a DOUBLE STOREY EXTENSION, I am therefore objecting once again on the same 4 main grounds: (Photographs and drawings are available to view in the separate DOCUMENTS section)</p> <p><b>1.LOSS OF DAYLIGHT &amp; SUNLIGHT DUE TO OVERSHADOWING &amp; DIFFERENCE IN GROUND LEVELS</b></p> <p>Dacorum Policy CS12 states that any new development should avoid a) visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to surrounding properties, and g) respect adjoining properties in terms of: scale, height and bulk.</p> <p>Dacorum Local Plan (2004) 7.2v states the following: The effect of an extension on neighbouring properties should be considered at the outset. The projection of rear extensions from the parent building should not excessively enclose or seriously affect the daylighting to an adjoining owner’s habitable rooms (kitchen, lounge/dining room, bedroom). Such extensions should be avoided on a boundary wherever possible and should be of limited length. The permissible outward projection of rear extensions will be assessed with regard to: (a) individual site factors such as orientation and levels; (b) the visual effect of the extension on the original building and the retention of space around it; and (c) the following generally acceptable dimensions: (i) for single storey extensions, up to 3 m on the party wall boundary between semi-detached or terraced housing; (ii) for first floor or two storey extensions, up to the lines of 45o angles taken from the nearest windows of habitable rooms in the adjacent properties. In addition, a 23 m distance should remain between the extension and nearest facing rear wall (as in Appendix 3. Layout and Design of Residential Areas, (iii) Spacing of Dwellings)</p> <p>These proposed plans totally contravene the Dacorum Local Plan (as above), and Dacorum Policy CS12, as they show a huge, visually intrusive two storey extension, less than a metre away from our boundary. This proposed extension cuts right across the 45degree line of sight, from our first- floor study/bedroom window, (See section c) (ii) above) which is the sole source of light to this room.(see attached plan in separate Document section) My husband uses this room as a study for much of the day. The extension would not only severely block daylight and overshadow this room, but will also reduce the daylight, through our kitchen rooflight, our ground floor French doors and our other 1st floor bedroom. (photos available in separate document section).</p> <p>The Dacorum Local plan (2004) states that “The projection of the rear extension from the parent building should not excessively enclose or</p>

	<p>seriously affect the daylighting to an adjoining owners' habitable rooms.</p> <p>The Dacorum Local Plan 2014 (as above), states that rear extensions will be assessed with regard to a) individual site factors such as orientation and levels. And Policy CS12 states that each development should: c) avoid visual intrusion, loss of sunlight and daylight.</p> <p>This application contravenes the Local Dacorum plan and Core Strategy CS12, as the vast roof will not only overshadow our property and cause a significant loss of light, but also block all the afternoon and western evening sunlight from our patio and garden, together with the patios and gardens, to numbers 25 and 23 Langley Hill, below us. Our north facing gardens, receive limited sunshine, except from this western afternoon and evening sun. 29 Langley Hill's floor levels are approximately 1m higher than ours, so an extension of 7m in height, will be 8m in height, from our ground levels and would result in severe overbearing and loss of light and sunlight. Correspondingly, no 25 is set down, just under a metre below our property and so on, down the hill. Because of these levels, any 2-storey extension blocks everyone's light, so, living on a sloping site, we have all kept to single storey wrap around extensions, using the side space as part of the extension. The difference in levels between the properties, which incidentally have not been shown on the developer's plans, together with the extreme depth and height, of this build, would severely impact everyone's daylight and sunlight. These factors have NOT been taken into consideration in the design of this extension.</p> <p><b>2.LOSS OF PRIVACY AND VISUAL INTRUSION</b></p> <p>Dacorum CS12 Quality of Site Design, states: each development should c) avoid visual intrusion and loss of privacy.</p> <p>There will be a significant loss of privacy, from the full width glass balcony which will overlook our rear garden. If we are going to lose the sunlight to our patio, due to the height and depth of the two-storey extension, then we will have to move right down the garden, to sit in the sun, in full view of our neighbours, from their balcony.</p> <p>There have been no proper patio plans submitted for planning permission ,with full dimensions including proposed height, width and depth of the patio. The patio levels need to be considered as part of the planning permission application. There are only details of one step down from the kitchen bi- fold door threshold. As mentioned above, there is a 1 m ground height difference between us and no 29, due to the sloping ground of the Hill. The entire patio needs to be dropped down to match our ground levels, to prevent overlooking and a complete loss of privacy to our garden. At no 23, (despite having a raised step and further steps down to their lawn), they are still approximately a metre higher, than their neighbours patio , resulting in the full height fence, being at waist height!</p> <p><b>3.IMPACT ON RESIDENTIAL AMENITY AND QUALITY OF THE DESIGN.</b></p> <p>Dacorum CS12 Quality of site design, states: each development should: g) respect adjoining properties in terms of: vii.materials.</p>
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	<p>The proposed grey slate roof tiles would. would have an adverse impact on the visual appearance of this side of the Hill , which consists of a long row of 1930's character detached houses , all with dark brown roof tiles. situated between 2 Conservation Areas, one at the lower end of the Hill, and the other at the top of the Hill. (photos available in the separate documents section) (Incidentally, it was one of the conditions imposed on the development of Le Corte Close, to the rear of Langley Hill, that brown roof tiles were used, in order to blend into the village landscape.)</p> <p>4.MIS-DESCRIPTION OF THE PLANNING PROPOSAL</p> <p>29 Langley Hill is a large 3 bedroom and 2 bathroom, 1930's detached, 2 storey chalet bungalow. (photos of the size and scale of 29 Langley Hill are available in separate documents section). This planning application, is now described as a one and a half storey extension, with a room in the loft. The proposal is in fact, for a TWO storey extension of 4.65 metres in depth, 8 metres in width and approximately 7metres in height, (and actually 8 metres in height, from our floor levels, due to the ground level differences described above) with a full width glass balcony! This is not a room in the loft! Additionally, the boundary lines between nos 27 and 29, have been drawn incorrectly. I have already submitted an objection and request for these to be re-drawn and re-submitted.</p> <p>I hope you will give my objections, serious consideration, especially in view of the number of contraventions in the plans, to the policies in the Dacorum Local Plan (2004) Appendix 7.2v and Core Strategy CS12.</p>
<p>27 Langley Hill Kings Langley Hertfordshire WD4 9HA</p>	<p>- Not enough info given on application</p> <p>With reference to planning application 22/03760/FHA, we are formally rejecting this submission of plans , as an inaccurate submission and is therefore not valid.</p> <p>Ref: Location Plan boundaries. The boundary line, shown in red on the Location plan, shows the external walls of no 27 Langley Hill, forming the boundary between 27 and 29. This is inaccurate, as there is 15.5cms or thereabouts, between the exterior walls of no 27 and the boundary fence .</p> <p>Ref : Existing Plan This shows the exterior walls of no 27, being built up to the boundary with no 29. This is incorrect as above.</p> <p>Ref: Existing Elevation Plan. The rear elevation plan shows no change in ground level between 27 and 29 Langley Hill. This is incorrect. No 27 is set over a metre below no 29.</p> <p>Ref: Proposed elevations. There is no labelled illustration of the adjacent property at no 27 and no illustrative change in ground level, as above.</p> <p>For the above reasons, we consider the above application, as submitted, to be invalid, but is stated without prejudice to any subsequent objections, that we intend to raise.</p>



**ITEM NUMBER: 5b**

<b>22/03334/FHA</b>	<b>First floor front and side extension and loft conversion comprising of rear and side dormers resulting in a crown roof, partial garage conversion</b>	
<b>Site Address:</b>	<b>4 Coniston Road, Kings Langley, Hertfordshire, WD4 8BU</b>	
<b>Applicant/Agent:</b>	<b>Anna Iversen</b>	<b>Mr Mike Holdbrook</b>
<b>Case Officer:</b>	<b>Nicole Quinn</b>	
<b>Parish/Ward:</b>	<b>Kings Langley Parish Council</b>	<b>Kings Langley</b>
<b>Referral to Committee:</b>	<b>Contrary view of Parish Council</b>	

**1. RECOMMENDATION**

That planning permission be GRANTED subject to conditions

**2. SUMMARY**

2.1 The application site is located within the residential area of the large village of Kings Langley wherein the proposed development is acceptable in principle, in accordance with Policies CS1 and CS4 of the Dacorum Borough Core Strategy (2013) and Policy KL1 of the Kings Langley Neighbourhood Plan.

2.2 The overall size, scale and design of the proposed alterations are acceptable, and would not result in detrimental harm to the character or appearance of the property or this part of the street scene/area. Subject to the inclusion of a condition requiring obscure glazing to the side dormer, the proposed works are not considered to have any significant adverse impacts on the residential amenity of neighbouring properties by being visually overbearing or resulting in a loss of light or privacy.

2.3 Furthermore, it is not considered that the scheme would have an adverse impact on the road network or create significant parking stress in the area.

2.4 Given all of the above, the proposal complies with the National Planning Policy Framework (2021), Policies CS1, CS4, CS8, CS11, CS12 of the Dacorum Borough Core Strategy (2013), Saved Appendices 3 and 7 of the Local Plan (2004) and the Parking Standards Supplementary Planning Document (2020) and Policies KL1 and KL4 of the Kings Langley Neighbourhood Plan.

**3. SITE DESCRIPTION**

3.1 The application site is located within a residential area of Kings Langley. The site comprises a modern two storey detached dwelling.

3.2 The immediate character area comprises dwelling houses of different designs, with all different build, age, height and size; the overall character of the area is not evident.

**4. PROPOSAL**

4.1 This application seeks permission for a first floor front and side extension and loft conversion comprising of rear and side dormers resulting in a crown roof, partial garage conversion.

## **5. PLANNING HISTORY**

Planning Applications:

4/00215/19/FHA - Demolish existing garage and side single level extension. Construction of two storey side extension with basement.

*GRA - 18th March 2019*

4/00309/18/FHA - Front porch and conversion of garage

*GRA - 26th March 2018*

4/02234/17/DRC - Details as required by conditions 2 (materials), 3 (highway safety) and 4 (access arrangements) attached to planning permission 4/00032/16/fha (excavation of front garden to provide 4 off road parking spaces & new drop kerb access from main road)

*GRA - 28th November 2017*

4/00528/17/FHA - Single storey front and side extension

*GRA - 28th April 2017*

4/00527/17/LDP - Loft conversion with hip to gable rear dormer and front roof lights

*GRA - 28th April 2017*

4/00032/16/FHA - Excavation of front garden to provide 4 off road parking spaces and new drop kerb access from main Road.

*GRA - 24th March 2016*

4/02222/03/FHA - Two storey and single storey side extensions and loft conversion

*GRA - 18th December 2003*

4/00041/03/FHA - Two storey side extension, single storey side extension and loft conversion

*REF - 5th March 2003*

Appeals : None

## **6. CONSTRAINTS**

Area of Archaeological Significance: 40

Article 4 Directions: Land at Abbots Rise, Kings Langley

CIL Zone: CIL2

Green Belt: Policy: CS5

Heathrow Safeguarding Zone: LHR Wind Turbine

Large Village: Kings Langley

Oil Pipe Buffer: 100

Parish: Kings Langley CP

RAF Halton and Chenies Zone: Yellow (45.7m)

Residential Area (Town/Village): Residential Area in Town Village (King Langley)

Parking Standards: New Zone 3

EA Source Protection Zone: 3

EA Source Protection Zone: 2



## **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)  
Kings Langley Neighbourhood Plan (November 2021)

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  
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 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 large village of Kings Langley, wherein in accordance with Policy CS4 of the Core Strategy (2013) and Policy KL1 of the Kings Langley Neighbourhood Plan the principle of residential development is acceptable subject to compliance with the relevant national and local policies. The main issues of consideration relate to

the impact of the proposal's character and appearance upon the existing dwelling house, immediate street scene and residential amenity of neighbouring properties.

#### Quality of Design / Impact on Visual Amenity

9.3 Chapter 12 of the Framework emphasises the importance of good design in context and, in particular, paragraph 134 states that development which is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design taking into account any local design guidance and supplementary planning documents. Dacorum's Core Strategy Policies CS11 (Quality of Neighbourhood Design) and CS12 (Quality of Site Design) state that development within settlements and neighbourhoods should preserve attractive streetscapes; integrate with the streetscape character and respect adjoining properties in terms of scale, height, bulk and materials.

9.4 Kings Langley Neighbourhood Plan 2020-2038 (Appendix B) Policy HO.11 (Extensions and Alterations) state that external alterations should respect or enhance the visual appearance of the original buildings and the character of the wider street scene. The site resides within the Peripheral Zone Character Area, according to the Kings Langley Neighbourhood Plan. This area is characterised by a variety of typologies with densities from low to medium with a prevalence of detached houses with deep front and back gardens situated to the west, some modern terraced houses at the top of Coniston Road and semi-detached properties with narrow front gardens to the east. Kings Langley Neighbourhood Plan Policies KL3 (Character of Development) and KL4 (Design of Development) seek to ensure that development proposals conserve and, where practicable, enhance the character of the Character Area in which it is located, reflecting architectural variety found locally and using materials that are in keeping with those used in existing buildings in the immediate locality. Development proposals should demonstrate a high quality of design, which responds and integrates well with their surroundings and meets the needs of the population of the neighbourhood area.

9.5 The proposed first floor front/side extension does not extend beyond the existing front elevation and would appear as a natural continuation of the parent property. Whilst appendix 7 of the Dacorum Borough Local Plan requires side extensions to be set back and set down so as to appear subservient in its context the current proposal is considered acceptable. Most dwellings within the street scene are large detached dwellings and many have been extended to the side at two storeys without being set back or set down such that the proposal will successfully integrate without appearing dominant or intrusive. There is much variety in design in the area.

9.6 It is acknowledged that both the side and rear dormer window are large in size, however the rear one would not be publically visible such that it would have no impact on the character or appearance of the property or wider street scene. Whilst visible in the street scene, the side dormer is set back and set slightly up from the eaves such that it would not appear unduly prominent or intrusive to the detriment of the area. A side dormer to the existing property could be constructed without the need for permission and this is a material consideration. It is proposed to introduce a crowned roof but this would not be perceived as such from street level such that there would be no visual harm

9.7 The site is not located within the conservation area, nor does it form the setting of the conservation area. Nevertheless the comments of the Conservation and Design Officer are noted. Concerns were raised regarding the size of the side and rear dormer windows in that it would be preferable if they were reduced to make them less prominent. However, as set out, the application site is not located within a sensitive area, and as such on balance it is concluded that a refusal on these elements alone, especially given the Permitted development fall-back position could not be sustained.

9.8 The proposed materials are to mostly match that of the existing dwellinghouse, with the dormers using tile hung and plain concrete tiles, such that the development will harmonise well and the proposed materials are considered acceptable.

9.9 Overall, it is considered that the even though it would be preferable if the proposed dormer windows were reduced in size and the side dormer to be set further back from the front elevation, the proposal on balance is in keeping with the surrounding area, respects adjoining properties and would therefore result in no significant adverse effects on the character and appearance of the street scene in terms of visual and residential amenity. This accords with the local and national policies mentioned above.

#### Impact on Residential Amenity

9.10 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 neighbouring properties and their amenity space. Thus, the proposed should be designed to reduce any impact on neighbouring properties by way of visual intrusion, loss of light and privacy.

#### 9.11 No. 2 Coniston Road:

No. 2 is located to the East of the application site. The proposed front/ side first floor extension is only slightly larger than that already existing on site and therefore will not have a detrimental impact with regard to loss of light or have an overbearing impact. There are no windows at first floor level in the side of No. 2. The dormer window to the rear will not have a negative impact on the neighbouring amenity to the occupiers at No. 2 due to the location and size of the development. The existing rear facing first floor windows would permit similar views to the proposed rear dormer. The proposed side dormer window will be screened by the existing dwellinghouse such that it will have no impact. The proposed development does not include any openings facing the side elevation of No. 2 and therefore there are no privacy concerns.

#### 9.12 No. 6 Coniston Road:

No. 6 is located to the West of the application site. The proposed front/ side first floor extension is screened by the existing dwelling and will therefore not have a negative impact on the neighbouring amenity of the occupiers at No. 6. The dormer window to the rear will not have a negative impact on the neighbouring amenity to the occupiers at No. 6 due to the location and size of the development. The proposed side dormer window will not have a negative overbearing impact due to the difference in orientation (set on a slight angle as at the bend of the road), the fact No. 6 occupies a higher land level and there is sufficient separation distance between the dwellings. There will also be no detrimental loss of light or privacy concerns to No. 6 as there are no existing windows to the side elevation of No. 6. The side dormer does include a window facing towards No. 6, however as this occupies a non-habitable room, therefore there are no privacy concerns. A condition requiring obscure glazing is necessary and reasonable to safeguard the future privacy of No. 6.

9.13 There are no dwellings located to the rear of the property and as there are existing rear facing windows on the property the proposed dormer window does not raise any amenity concerns in comparison to the site as existing.

9.14 As such the application is in accordance with Saved Appendix 3 of the Local Plan and Policy CS12 of the Core Strategy.

#### Impact on Highway Safety and Parking

9.15 The NPPF (2021), Policies CS8 and CS12 of the Dacorum Borough Core Strategy (2013), and the Parking Standards Supplementary Planning Document (2020) all seek to ensure that new development provides safe and sufficient parking provision for current and future occupiers.

9.16 This application seeks to demolish the existing garage, however this is not large enough to be considered a garage by DBC Parking Standards, as such this is not considered a loss in parking. Additionally, the application proposes an additional bedroom, the four bedroom property being turned into a five bedrooms. In accordance with the Council's Parking Standards SPD, a four bedroom property requires 3 off street parking spaces and five bedroom property must be assessed on an individual basis. The application site benefits from a driveway which can fit at least three cars. The additional single bedroom would not result in a significant intensification of the use of the dwelling and as such would not have a residual impact on parking demand. The existing three spaces are considered acceptable for the proposals within this location. As such there are no concerns regarding parking as part of this application.

9.17 Overall, it is considered that the proposal would not result in an unacceptable impact on highway safety.

#### Other Material Planning Considerations

9.18 Section 7 of the application form states that no trees or hedges are within falling distance of the proposed development and that no tree or hedges need to be removed or pruned in order to carry out the proposal. The proposal would not affect any significant trees/landscaping.

9.19 Response from Parish/ Town Council:

9.20 Objection - The Council objects to this application on the grounds that the proposed development would overlook neighbours' properties and affect their privacy.

9.21 I have addressed the comments regarding impact on neighbouring amenity above in the report.

#### Response to Neighbour Comments

9.22 N/A

#### Community Infrastructure Levy (CIL)

9.23 Policy CS35 of the Core Strategy requires all developments to make appropriate contributions towards infrastructure required to support the development. These contributions will normally extend only to the payment of CIL where applicable. The Council's Community Infrastructure Levy was adopted in February 2015 and came into force on 1 July 2015. CIL relief is available for affordable housing, charities and Self Builders and may be claimed using the appropriate forms.

## **10. CONCLUSION**

10.1 To conclude it is not felt that the works would have an adverse impact on the appearance of the dwelling or would significantly impact the street scene. The development would not have a

detrimental impact on the amenity of neighbouring properties or highway safety/car parking. Therefore, the proposal is acceptable in accordance with the aims of the National Planning Policy Framework 2021 and Policies CS11 and CS12 of the Core Strategy 2006-2031.

## **11. RECOMMENDATION**

**11.1 It is recommended that planning permission be GRANTED, subject to the conditions below.**

### **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:**

Drg No. 22/0711/02 Rev A - Proposed Block Plan Plan  
Drg No. 22/0711/07 Rev A - Proposed Second Floor Plan  
Drg No. 22/0711/09 Rev A - Proposed Elevations  
Drg No. 22/0711/04 - Proposed Ground Floor Plan  
Drg No. 22/0711/06 - Proposed First Floor Plan  
Site Location Plan

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.**

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 window(s) at roof level (dormer window) in the west elevation of the extension hereby permitted shall be non-opening and permanently fitted with obscured glass.**

Reason: In the interests of the residential amenities of the occupants of the adjacent dwellings in accordance with Policy CS12 (c) of the Dacorum Borough Council Core Strategy (2013) and Paragraph 130 (f) of the National Planning Policy Framework (2021).

### **Informatives:**

1. Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led 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.

## APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Kings Langley Parish Council	<p>The Council objects to this application on the grounds that the proposed development would overlook neighbours' properties and affect their privacy.</p>
British Pipeline Agency	<p>Thank you for your correspondence enclosing details of your proposals.</p> <p>Having reviewed the information provided, the BPA pipeline(s) are not affected by these works, and consequently no site visit or supervision will be required and the works are free to continue as planned. However, if the location of your work should change, please contact us immediately, by emailing <a href="mailto:landsteam@bpa.co.uk">landsteam@bpa.co.uk</a>.</p> <p>This response is valid for 90 days. After which, if a refresh is required, please quote the BPA reference number "2022-6051" and email <a href="mailto:landsteam@bpa.co.uk">landsteam@bpa.co.uk</a> stating this is a refresh, and we can check whether these works are still ok to proceed.</p> <p>Whilst we try to ensure the information we provided is accurate, the information is provided Without Prejudice and we accept no liability for claims arising from any inaccuracy, omissions or errors contained herein.</p>
Conservation & Design (DBC)	<p><u>Final Comments</u> dated 13.01.23; While I remain of the view that both dormers are too large and bulky, given the lack of policy with regard to dormers and lack of constraints for this site, I would not want to recommend refusal.</p> <p><u>Interim Comments</u> dated 09/12/2022; requested that the rear and side dormer of this proposal for a loft conversion be reduced in size due to their prominence in views along Coniston Road and from the rear along the Hemel Hempstead Road.</p> <p>There has been no change to the side dormer. The agent has given context for this retention in that the whole staircase will need to be reconfigured in order to reduce it in scale and the applicants would prefer to retain it as it is.</p> <p>The rear dormer has had its Juliette balcony removed and the side windows narrowed. This does not go far enough as the dormer is still very tall and prominent with large areas of glazing that could draw the eye. In order to significantly reduce its visual impact the full length glazing should be removed and the dormer set down from the ridge and up from the eaves.</p>

	<p>The matching of the window to the front is welcome.</p> <p>If the rear dormer can be significantly reduced further in scale then this will offset some of the impact of the side dormer which the applicants are unwilling to amend and would make the proposal would be more acceptable overall.</p> <p>Recommendation: Further amendment needed prior to approval.</p> <p><u>Original Comments</u> 17.11.22 ;  Coniston Road is a detached 1930s house on the north side of the road close to the junction with the Hemel Hempstead road and open land down to the Grand Junction Canal with open countryside to the rear.</p> <p>The proposal seeks to make internal alterations on the ground floor, build out over the garage erasing the existing cat slide to the right on the front elevation and building a loft extension with two dormers.</p> <p>The dormers are quite bulky and the one to the rear will have a Juliette balcony, both are will be prominent in surrounding views. The side dormer is visible when descending the hill further along Coniston Road to the south west and the rear dormer would be visible in periods with less leaf cover across the open countryside from the Hemel Hempstead Road to the north, when entering the town. Both would benefit from being reduced in scale to lessen their visual impact.</p> <p>One further minor change might be to match the form of the window over the garage to the others on the south elevation to create a more harmonious front elevation.</p> <p>Recommendation: Amendments needed prior to approval</p>
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**APPENDIX B: NEIGHBOUR RESPONSES**

**Number of Neighbour Comments**

<b>Neighbour Consultations</b>	<b>Contributors</b>	<b>Neutral</b>	<b>Objections</b>	<b>Support</b>
4	0	0	0	0

**Neighbour Responses**

<b>Address</b>	<b>Comments</b>

# Agenda Item 5c

ITEM NUMBER: 5c

22/03690/FHA	Proposed two storey side extension	
Site Address:	62 Highfield Road, Berkhamsted, Hertfordshire, HP4 2DD	
Applicant/Agent:	Ms C Bernardini	Mr Steven Johnston
Case Officer:	Nicole Quinn	
Parish/Ward:	Berkhamsted Town Council	Berkhamsted East
Referral to Committee:	Contrary views of town council	

## 1. RECOMMENDATION

That planning permission be GRANTED.

## 2. SUMMARY

2.1 The application site is located within residential area of Berkhamsted wherein the proposed development is acceptable in principle, in accordance with Policies CS1 and CS4 of the Dacorum Borough Core Strategy (2013).

2.2 The proposed scheme has been amended such that now the overall size, scale and design of the proposed alterations are acceptable, they relate well to the parent dwelling, would re-balance the front elevations of this semi-detached pair of properties and would not result in any harm to the character or appearance of the street scene or this part of the Berkhamsted conservation area. The works are not considered to have any significant adverse impacts on the residential amenity of neighbouring properties by being visually overbearing or resulting in a loss of light or privacy.

2.3 Furthermore, it is not considered that the scheme would have an adverse impact on the road network or create significant parking stress in the area.

2.4 Given all of the above, the proposal complies with the National Planning Policy Framework (2021), Policies CS1, CS4, CS8 CS11, CS12 and CS27 of the Dacorum Borough Core Strategy (2013), Saved Appendices 3 and 7 of the Local Plan (2004) and the Parking Standards Supplementary Planning Document (2020).

## 3. SITE DESCRIPTION

3.1 The application site is a two storey end of terraced property on Highfield Road, in a residential area of Berkhamsted located within the Conservation Area.

## 4. PROPOSAL

4.1 The proposal is for the demolition of the existing garage, construction of a two storey side extension, a single storey rear extension.

## 5. PLANNING HISTORY

Planning Applications :

4/01388/07/FUL - Dwelling incorporating existing extension  
REF - 2nd August 2007

4/01109/05/RET - Retention of hardstanding to the side of dwelling  
REF - 22nd July 2005



4/01754/01/FUL - New dwelling  
REF - 23rd November 2001

4/00629/01/FUL - Dwelling  
REF - 11th July 2001

Appeals :

4/01109/05/RET - Development Appeal  
- 12th May 2006

4/01754/01/FUL - Development Appeal  
- 23rd August 2002

## **6. CONSTRAINTS**

BCA Townscape Group  
CIL Zone: CIL1  
Berkhamsted Conservation Area  
Parish: Berkhamsted CP  
RAF Halton and Chenies Zone: Green (15.2m)  
Residential Area (Town/Village): Residential Area in Town Village (Berkhamsted)  
Residential Character Area: BCA2  
Parking Standards: New Zone 3  
Town: Berkhamsted

## **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 the 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 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 occupied by a residential dwelling and located within the town of Berkhamsted and within the Conservation Area wherein, in accordance with Policy CS4 of the Dacorum Core Strategy, the principle of appropriate residential development is acceptable.

### Quality of Design / Impact on Visual Amenity

9.3 Saved Appendix 7 of the Dacorum Local Plan (2004), Policies CS11, CS12 of the Core Strategy (2013) and the NPPF (2021) all seek to ensure that any new development/alteration respects or improves the character of the surrounding area and adjacent properties in terms of scale, massing, materials, layout, bulk and height.

9.4 The application site is situated within the Berkhamsted Conservation Area. Therefore the design and appearance of the proposed extension to the property needs to be sympathetic to the conservation area and the surrounding environment and its heritage. The Planning (Listed Buildings and Conservation Areas) Act 1990 requires that local authorities should have special regard to preserving the setting of listed buildings. This requirement should be given great weight in the planning process. The impact of the development proposals on local conservation areas must also be assessed as required by section 72(1) of the Act.

9.5 Paragraph 199 of the Framework states that great weight should be given to the conservation of heritage assets when considering the impact of a proposed development. Policy CS27 requires development to protect, conserve and where appropriate enhance the integrity, setting and distinctiveness of heritage assets.

9.6 The proposed development has been amended to be reduced in width, the originally proposed gable roof replaced with a hipped roof, and the rear fenestration reduced in size. As amended the scheme is considered to be appropriate in terms of its design, bulk, scale and use of materials. The proposed development would result in a more coherent extension of the property. The attached neighbouring property has been extended by way of a two storey side extension which is not set back or set down. The proposed extension would re-balance the appearance of the semi-detached pair and as such in this instance it is not considered necessary for it to be set back or set down. To avoid appearing visually prominent in the street scene the width has been reduced during the course of the application to provide relief to the side and the hip roof will provide additional space in and around the dwelling to ensure it integrates well. This part of Highfield Road does not have a formal building line but as a result of the proposal No. 62 would be closest property to the street on the

western side. It is however important to note that further to the north, closer to the high street the properties actually sit at the back edge of the footpath so are much more prominent. In its context the proposal would not appear unduly prominent, or dominate the street scene. The originally proposed first floor doors and Juliette balcony which would have appear incongruous have been omitted and replaced by standard windows to harmonise well.

As such the proposals are considered to be acceptable in accordance with Policies CS11 and CS12 of the Core Strategy.

9.7 The Conservation and Design officer has commented on the amended plans and states that the proposed development is considered acceptable and would have a neutral impact on the Conservation area.

9.9 Regard has been had to the statutory tests of preserving or enhancing the character and appearance of Conservation Area under section 72 of The Planning (Listed Building and Conservation Areas) Act 1990, which, it is accepted, is a higher duty. It is concluded that the proposed alterations do respect the character and design of the existing dwellinghouse and the character of the surrounding area or Berkhamsted Conservation Area, and therefore complies with Policy CS11 and CS27 of the Dacorum Borough Core Strategy and Saved Appendix 7 of the Local Plan.

#### Impact on Residential Amenity

9.9 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 neighbouring properties and their amenity space. Thus, the proposed should be designed to reduce any impact on neighbouring properties by way of visual intrusion, loss of light and privacy.

#### 9.10 No. 64 Victoria Road:

No. 64 is located to the West of the application site. The proposed two storey side extension will be screened by the existing dwelling and therefore will not affect the neighbouring amenity of No. 64.

#### 9.11 No. 58 Highfield Road:

No. 58 is located to the North of the application site. The proposed two storey side extension will not appear overbearing or cause a detrimental loss of light to the occupiers at No. 58 due to the siting and location of the proposed development and the fact it aligns with the rear elevation of the existing building. The new proposed windows will not have a negative impact on the privacy of the occupiers at No. 58 and as there are existing rear facing windows which permit a similar view, therefore the proposed development is not dissimilar to the site as existing. The originally proposed doors and Juliette balcony have been omitted.

#### 9.12 No. 55 Highfield Road:

No. 55 is located to the East of the application site and beyond the road. Due to the sufficient separation distance between the proposed development and No. 55 there are no neighbouring amenity concerns.

9.13 Adequate garden amenity space would also be retained at the rear for the use and enjoyment of occupiers of the extended dwelling.

9.14 The proposed development does not raise any concerns regarding the residential amenity of this application. The application is therefore in accordance with Policy CS12 of the Dacorum Borough Core Strategy.

#### Impact on Highway Safety and Parking

9.15 The NPPF (2021), Policies CS8 and CS12 of the Dacorum Borough Core Strategy (2013), and the Parking Standards Supplementary Planning Document (2020) all seek to ensure that new development provides safe and sufficient parking provision for current and future occupiers.

9.16 The application does not seek to alter the access or parking arrangements of the property. The application seeks to increase the number of habitable rooms within the property. The SPG states that a 3 bedroom property requires 2.25 allocated parking spaces, this would be rounded down to 2 parking spaces. Adequate off street parking is provided to the front of the property for 2 parking spaces and as such there are no significant concerns regarding parking or highway safety in relation to this planning application.

9.17 Overall, it is considered that the proposal would not result in an unacceptable impact on highway safety.

#### Other Material Planning Considerations

9.18 Response from Parish/ Town Council:

9.19 *"The Committee agreed with the comments made by Conservation and Design and objected on grounds of overlooking to the neighbouring cottage in Highfield Road"*.

9.20 The plans have been amended since these comments were submitted and the proposed development has been amended as per Conservation and Designs comments. This comment has also been addressed in the 'neighbouring amenity' section of the report above.

#### Response to Neighbour Comments

9.21 N/A

#### Community Infrastructure Levy (CIL)

9.22 Policy CS35 of the Core Strategy requires all developments to make appropriate contributions towards infrastructure required to support the development. These contributions will normally extend only to the payment of CIL where applicable. The Council's Community Infrastructure Levy was adopted in February 2015 and came into force on 1 July 2015. CIL relief is available for affordable housing, charities and Self Builders and may be claimed using the appropriate forms.

## **10. CONCLUSION**

10.1 To conclude, it is not felt that the works would have an adverse impact on the character or appearance of Berkhamsted Conservation Area. It is not felt that the proposed development would have a detrimental impact on the character or appearance of the existing dwelling or would significantly impact the street scene. The development would not have a detrimental impact on the amenity of neighbouring properties or highway safety/car parking. Therefore, the proposal is acceptable in accordance with the aims of the National Planning Policy Framework 2019 and Policies CS11, CS12 and CS27 of the Core Strategy 2006-2031.

## 11. RECOMMENDATION

11.1 That planning permission be **GRANTED subject to conditions.**

### 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:**

**Drg No. 22/SPE/000, Site Location Plan  
Drg No. 22/301, Proposed Plans  
Drg No. 22/302, Proposed Elevations**

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.**

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).

### Informatives:

1. Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led 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.

## APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Berkhamsted Town Council	Objection: The Committee agreed with the comments made by Conservation and Design and objected on grounds of overlooking to the neighbouring cottage in Highfield Road. CS12
Conservation & Design (DBC)	<u>Original comments:</u> No objections to this 2-storey side extension from a design perspective. However, the rear upper floor window and 'balcony' is disproportionately large and would appear to create overlooking issues in relation to the neighbouring cottage in Highfield Road. It should be scaled back to form a conventional window opening. I would

	<p>also question the need for two rooflights, given the room is well-lit by windows. I am assuming too that the substantial tree screen will also be retained.</p> <p><u>Final Comments:</u> the proposals have been amended in line with our comments. In addition the changed of the roof form to a hipped roof reduce the impact of the extension within the streetscape. As such we would not object. Materials to match existing.</p>
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**APPENDIX B: NEIGHBOUR RESPONSES**

**Number of Neighbour Comments**

<b>Neighbour Consultations</b>	<b>Contributors</b>	<b>Neutral</b>	<b>Objections</b>	<b>Support</b>
6	0	0	0	0

**Neighbour Responses**

<b>Address</b>	<b>Comments</b>

**ITEM NUMBER: 5d**

<b>22/03810/FHA</b>	<b>Single and two storey rear extension</b>	
<b>Site Address:</b>	<b>16 Croft Cottages, Croft Lane, Chipperfield, Kings Langley, Hertfordshire, WD4 9DX</b>	
<b>Applicant/Agent:</b>	<b>Mr &amp; Mrs Clare &amp; Paul Oxley</b>	<b>Mr Damien Poulter</b>
<b>Case Officer:</b>	<b>Nicole Quinn</b>	
<b>Parish/Ward:</b>	<b>Chipperfield Parish Council</b>	<b>Bovingdon/ Flaunden/ Chipperfield</b>
<b>Referral to Committee:</b>	<b>Contrary views of Parish Council</b>	

**1. RECOMMENDATION**

1.1 That planning permission be **GRANTED**.

**2. SUMMARY**

2.1 The application site is located within the village of Chipperfield within the Green belt wherein house extensions are acceptable in accordance with Policies CS1, CS5 and CS6 of the Dacorum Borough Core Strategy (2013) provided they are sympathetic to their surroundings, including the surrounding countryside and retain and protect features essential to the character and appearance of the village.

2.2 The overall size, scale and design of the proposed alterations are acceptable, they relate well to the parent dwelling, and would not result in any harm to the character or appearance of the street scene/area or the Green Belt/countryside. Sufficient space is retained in and around the building/extension such that the works would not appear cramped. The works are not considered to have any significant adverse impacts on the residential amenity of neighbouring properties by being visually overbearing or resulting in a loss of light or privacy.

2.3 Furthermore, it is not considered that the scheme would have an adverse impact on the road network or create significant parking stress in the area. The proposals result in the creation of a four bedroom dwelling and the required three allocated off-street parking spaces have been demonstrated.

2.4 Given all of the above, the proposal complies with the National Planning Policy Framework (2021), Policies CS1, CS5, CS6, CS8, CS11, CS12 of the Dacorum Borough Core Strategy (2013), Saved Appendices 3 and 7 of the Local Plan (2004) and the Parking Standards Supplementary Planning Document (2020).

**3. SITE DESCRIPTION**

3.1 The site is located on the on Croft Lane in Chipperfield, Kings Langley. The site contains a two-storey end of terraced dwelling and is located within the Metropolitan Green Belt.

**4. PROPOSAL**

4.1 The proposed development is for a single and two storey rear extension.

**5. PLANNING HISTORY**

Planning Applications : None

Appeals : None

## **6. CONSTRAINTS**

CIL Zone: CIL2  
Green Belt: Policy: CS5  
Heathrow Safeguarding Zone: LHR Wind Turbine  
Parish: Chipperfield CP  
RAF Halton and Chenies Zone: Green (15.2m)  
Small Village: 3  
Parking Standards: New Zone 3  
EA Source Protection Zone: 3

## **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  
CS5 – Green Belt  
CS6 – Selected Small Villages in the Green Belt  
CS10 - Quality of Settlement Design  
CS11 - Quality of Neighbourhood Design  
CS12 - Quality of Site Design  
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 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 the Green Belt. Paragraph 149 of the National Planning Policy Framework (NPPF) (2021) states that one of the exceptions to inappropriate development in the Green Belt is the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. In the context of the NPPF, 'original building' means a building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally.

9.3 Core Strategy (2013) Policy CS5 aims to protect the character and openness of the Green Belt and states that small-scale development will be permitted, such as limited extensions to existing buildings, provided that it has no significant impact on the character and appearance of the countryside.

9.4 In addition to seeking to ensure that extensions are compact and well-related to the existing building in terms of design, bulk, scale and materials, saved Policy 22 of the Dacorum Local Plan requires an assessment based on the increase in floor area, allowing for a 30% increase. Policy 22 is only partly consistent with the more recent NPPF and Core Strategy and as such Policy 22 is given less weight. The main issue is whether the proposed extension is 'limited' and 'proportionate' and whether it would have a significant impact on the character and appearance of the countryside.

9.5 Although percentage increases are no longer typically used as a limiting factor in establishing whether an extension is acceptable in principle, these measurements do provide a good starting point in an assessment of the proportionality of a development.

9.6 Furthermore as stated the application site is located within the small village of Potten End, whereby in accordance with Policy CS6 of the Core Strategy, additional flexibility is offered to the size of extension permitted to existing dwellings as it is acknowledged that these settlements are primarily residential with additional capacity for development, subject to there being no harm to the openness and character of the countryside. Unlike Policy CS5, CS6 does not specify that house extensions must not result in disproportionate additions for them to be acceptable. Allowing for larger house extensions to be acceptable, provided it is sympathetic to the surroundings including the adjoining countryside. Furthermore the proposals should retain and protect features essential to the village.

9.7 The application site has no planning history and by visiting site it does not seem the dwellinghouse has been extended previously. The proposed extensions are fairly large extending the width of the existing dwelling and has a depth of approx. 4m at ground floor level and is staggered at first floor. The smaller aspect at first floor level has a depth of approx. 1.5m increasing to 4m. The proposed development is considered to be of a smaller floor area and volume in comparison to what could potentially built under permitted development.

9.7 whilst fairly large the mass and bulk of the proposed additions are considered acceptable and relate well to the plot/site without appearing cramped or overdeveloped. Furthermore, as the

proposed development is located to the rear and surrounded by existing buildings, it is considered that the development proposed would not have an adverse impact on the openness of the Green Belt and thus is acceptable.

9.9 Overall, the proposed development is considered an acceptable addition. Seen in the context of the site as a whole, the visual impact with regard to sprawl across the site and footprint would have a lesser impact than what can be built under permitted development. In this instance, it is not considered that the development proposed would have an adverse impact on the openness of the Green Belt / countryside and thus is acceptable in principle and complies with policies CS5 and CS6 of the Core Strategy (2013).

#### Quality of Design / Impact on Visual Amenity

9.10 Policies CS11 and CS12 of the Dacorum Core Strategy state that development should, inter alia, respect the typical density intended in an area, preserve attractive streetscapes, integrate with the streetscape character; avoid large areas dominated by car parking, and respect adjoining properties in terms of layout, scale, height, bulk, materials etc.

9.11 Appendix 7 of the Dacorum Local Plan states that extensions should harmonise with the original design and character of the house in terms of scale, roof form, window design and external finishes.

9.12 The impact on the appearance of building, street scene and Green Belt are to be considered. Whilst large, the proposed extensions to the dwelling are considered to be of an appropriate design and scale and would not harm the character or appearance of the parent property. As the proposed development is located to the rear of the property it will not impact the street scene. The proposed materials are also considered acceptable given the variety evident in the area.

9.13 The proposed extension is considered to be appropriate in terms of its design, bulk, scale and use of materials and will have limited impact on the character and appearance of the street scene and village.

9.14 The development would therefore accord with Policies CS6, CS11 and CS12 of the Dacorum Core Strategy and saved Appendix 7 of the Dacorum Local Plan.

#### Impact on Residential Amenity

9.15 Policy CS12 of the Dacorum Core Strategy states that development should, amongst other things, avoid visual intrusion, loss of sunlight, daylight, loss of privacy and disturbance to surrounding properties.

9.16 Given the plot size, size and siting of the development, and the configuration and orientation of adjacent properties, the proposed extension would not adversely impact the neighbouring properties. At first floor level the proposals do not breach a 45 degree line taken from the nearest adjacent habitable bedroom windows of the attached neighbour and whilst visible the development would not appear unduly prominent or visually intrusive to the detriment of residential amenity. Adequate garden amenity space would also be retained at the rear for the use and enjoyment of occupiers of the extended dwelling.

#### Impact on Highway Safety and Parking

9.17 9.12 The NPPF (2021), Policies CS8 and CS12 of the Dacorum Borough Core Strategy (2013), and the Parking Standards Supplementary Planning Document (2020) all seek to ensure that new development provides safe and sufficient parking provision for current and future occupiers.

9.18 The proposal does give rise to greater parking requirement as the existing three bedroomed property would become four bedroomed. However there is sufficient parking on the front drive for at least three cars. As such, the development is in accordance with Policies CS8 and CS12 of the Dacorum Core Strategy and the Parking Standards SPD. A four bedroom property requires 3 allocated off-street parking spaces which have been shown.

Chipperfield Parish council have objected on the application stating that the parking provision for the property as proposed would be insufficient. The proposals however meet the parking standards required by the adopted policy and as such a refusal could not be sustained. There is an existing single garage set back from the property which could be argued to provide additional space. The garage is existing but does not meet the minimum dimensions set out in the SPD to be classed as a garage such that it has been disregarded from the parking assessment already set out. . In addition it is important to note that the dwelling could also be extended under permitted development and have the potential to include the addition of even more bedrooms than that proposed under this application, this would fall outside the control of the LPA and would have a similar if not increased parking demand to the current proposal.

9.19 Overall, it is considered that the proposal would not result in an unacceptable impact on highway safety and would comply with Policies CS8 and CS12 of the Dacorum Core Strategy and the Parking Standards SPD.

#### Other Material Planning Considerations

##### *Response from Parish/ Town Council*

9.21 Objection - Insufficient parking provision. Chipperfield is wholly dependent on car use therefore it is Chipperfield Parish Council's policy to request parking provision of one car parking space per bedroom subject to a minimum of 2. We urge 4 on-site parking spaces for this application.

9.22 These comments have been addressed above in the 'Impact on Highway Safety and Parking' section above.

#### Response to Neighbour Comments

9.23 A neighbour response has been received from No. 16 (the applicant) in response to the council's objection regarding parking. They state that the driveway is able to park 3 cars/ 4 smaller cars and there is a garage, therefore the property has 5 parking spaces. The existing driveway can fit up to 3 cars by DBC standards which state a minimum dimension of 2.4m by 4.8m. As the existing garage has not been shown on the plans it cannot be confirmed if the garage is large enough to be considered a parking space by DBC standards. Notwithstanding this the three parking spaces to the front comply with the Parking Standards SPD.

#### Community Infrastructure Levy (CIL)

9.24 Policy CS35 of the Core Strategy requires all developments to make appropriate contributions towards infrastructure required to support the development. These contributions will normally extend only to the payment of CIL where applicable. The Council's Community Infrastructure Levy was adopted in February 2015 and came into force on 1 July 2015. CIL relief is available for affordable housing, charities and Self Builders and may be claimed using the appropriate forms.

## **10. CONCLUSION**

10.1 It is considered that the proposed scheme is appropriate development and would not result in harm to the Green Belt. It is not felt that the works would have an adverse impact on the appearance of the dwelling or would significantly impact the street scene or the openness of the Green Belt or

this part of the Countryside. The development would not have a detrimental impact on the amenity of neighbouring properties or highway safety/car parking or ecology. Therefore, the proposal is acceptable in accordance with the aims of the National Planning Policy Framework 2019 and Policies CS5, CS6, CS8, CS11, CS12 and CS29 of the Core Strategy 2006-2031.

**11. RECOMMENDATION**

11.1 That planning permission be **GRANTED, subject to the conditions below.**

**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:**

**Drg No. P02 Rev C, Proposed Plans and Elevations**

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.**

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).

**Informatives:**

1. 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 (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

**APPENDIX A: CONSULTEE RESPONSES**

Consultee	Comments
Chipperfield Parish Council	OBJECTION. Insufficient parking provision. Chipperfield is wholly dependent on car use therefore it is Chipperfield Parish Council's policy to request parking provision of one car parking space per bedroom subject to a minimum of 2. We urge 4 on-site parking spaces for this application.

## APPENDIX B: NEIGHBOUR RESPONSES

### Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
6	1	0	0	1

### Neighbour Responses

Address	Comments
16 Croft Cottages Croft Lane Chipperfield Kings Langley Hertfordshire WD4 9DX	In response to Objection regarding Insufficient Parking Provision. The property currently enjoys a driveway sufficient for 3 large or 4 smaller cars plus a single garage (current provision could support up to 5 vehicles). The proposal is to increase the dwelling to 4 beds. I trust the current parking provision meets the above suggested requirement.  (The Home Owner / Planning Applicant)

# Agenda Item 6

## 6. APPEALS UPDATE

### 6.1 APPEALS LODGED

Appeals received by Dacorum Borough Council between 01 January 2023 and 13 February 2023.

No.	DBC Ref.	PINS Ref.	Address	Procedure
1	22/02580/FHA	D/23/3314460	6 The Poplars, Hemel Hempstead	Householder
2	22/02586/FUL	W/23/3314513	Land Adjoining Cyrita, Hogpits Bottom, Flaunden	Written Representations
3	22/01766/DPA	W/23/3314903	Site of 1-31 Nightingale Walk, Hemel Hempstead	Written Representations
4	22/02740/FUL	W/23/3315012	2 Lower Yott, Hemel Hempstead	Written Representations
5	22/03307/FHA	D/23/3315954	37 Cedar Walk, Hemel Hempstead	Householder
6	22/03157/FHA	D/23/3315971	New Lodge, Dunstable Road, Markyate	Householder
7	22/01286/FUL	W/23/3316011	Sharlowes Farmhouse, Flaunden	Written Representations
8	22/03103/UPA	D/23/3315748	9 Darrs Lane, Northchurch	Written Representations
9	22/00456/FUL	W/23/3316262	Former Convent Of St Francis De Sales Preparatory School, Aylesbury Road, Tring	Hearing
10	22/03390/ROC	W/23/3316329	26 Hempstead Lane, Potten End	Written Representations

## 6.2 PLANNING APPEALS DISMISSED

Planning appeals dismissed between 01 January 2023 and 13 February 2023.

No.	DBC Ref.	PINS Ref.	Address	Procedure
1	<a href="#">21/04756/FUL</a>	W/22/3300850	1 Dale End, Box Lane, Hemel Hempstead	Hearing
	<b>Date of Decision:</b>		19/01/2023	
	<b>Link to full decision:</b>			
	<a href="https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3300850">https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3300850</a>			
	<b>Inspector's Key conclusions:</b>			
	<p>The development proposed is the construction of 9 apartments with associated outbuildings, parking, landscaping and access.</p> <p>There are two Grade II listed buildings to the north of the site, Boxmoor Lodge and the former Swan Inn public house. In determining this appeal I have given special regard to the desirability of preserving these buildings, their setting and any features of special architectural or historic interest which they possess... I consider that both listed buildings also derive some significance from their association with the land to their south, which includes the appeal site...The appeal site is the closest land to the listed buildings and contains a single, relatively small house with the remainder of the site predominantly given over to soft landscaping. It makes a positive contribution to their setting.</p> <p>The proposed development would be a substantially larger building than the existing single dwellinghouse as it would be taller, wider, and deeper with an attendant greater presence. As such, it would be prominent within the settings of these listed buildings, especially Boxmoor Lodge as it would be close to the shared boundary between the two sites. The appeal proposal, comprising the larger building and introduction of substantial hard landscaping to the site frontage, would result in a significantly more developed site that would further erode the contribution that the appeal site makes to the setting of the listed buildings. This would result in harm to their significance...the harm arising to the significance of the listed buildings would be less than substantial.</p> <p>The National Planning Policy Framework (the Framework) requires that less than substantial harm is weighed against the public benefits of a proposal. The proposed development would deliver 8 new dwellings, helping to address the Council's shortfall and supporting the Government's objective of boosting the supply of homes. This factor attracts additional weight given the considerable shortfall of just 2.8 years housing land supply. The appeal site is in a sustainable location in an existing settlement within walking distance of services and facilities and with access to public transport, so residents would not be reliant on private cars. The site is quite small and comprises previously developed land, with the appeal proposal capable of being built out relatively quickly. There would be economic benefits from ongoing support for local shops and services from the occupiers of the new dwellings.</p>			

The development would provide an improved boundary treatment at the junction with the wall for the former Swan Inn. The cumulative weight that these benefits attract is substantial. However, the Framework states that great weight should be given to the conservation of designated heritage assets, even where potential harm amounts to less than substantial harm to their significance. The heritage harm arising would, in this instance, outweigh the public benefits of the proposed development.

The proposed building would be substantially larger than the existing house on the appeal site. From Box Lane, the proposed building would be set back within the plot. The front elevation of the building would be staggered, and there would be some variance to the ridgeline, but it would still be a taller and much wider building, occupying almost the full width of the plot. With the site entrance centred on the Box Lane frontage the building would be significantly more prominent in the street scene, even allowing for the setback, as the existing site entrance and building are offset from one another. The established planting to the front of Nos 1 and 5 would provide some screening, but the size of the building would be such that it would be a dominant feature along this part of Box Lane.

The front of the site between the building and front boundary wall would feature new planting, which would somewhat soften the appearance of the building over time as it matures. However, it would also include parking for 16 cars, including 2 car ports, where much of the existing frontage is laid to soft landscaping. While the footprint of the building would only be around 20% of its area, the appeal proposal overall would therefore result in a substantially more developed site.

While the extent of spaciousness in the area has been reduced by developments in recent years, the proposed development would be a wide building relative to its plot, built to within 1 metre of either boundary at ground floor level, albeit further set in at the upper floors. As seen from Box Lane, the building would overlap with the house on plot 4 of the Boxmoor Lodge site if that development is built out, due to the tapering of the site. This would further reduce any sense of space between the two developments. Consequently, the proposed building would not sit comfortably within its plot because of its height, width and depth. The increased depth of the building would be particularly apparent when seen from the sides due to the greatly increased depth of the building. The lack of tall planting to the Boxmoor Lodge boundary would mean that much of the building would be in plain view from that site, and in longer views from London Road.

Overall the appeal proposal would result in harm to the character and appearance of the area due to its size, cramped appearance and the extent of hardstanding to the front of the site.

The appeal proposal would not result in unacceptable harm to the living conditions of neighbouring occupiers.

The Council sought the creation of a pedestrian link across the neighbouring



	Boxmoor Lodge site. This link would provide a more direct route to Hemel Hempstead railway station, encouraging walking...While the proposed pedestrian access would improve the development in terms of sustainable transport, its absence does not make it unsustainable.			
No.	DBC Ref.	PINS Ref.	Address	Procedure
2	<a href="#">22/00233/FUL</a>	W/22/3300029	55 High Street, Markyate	Written Representations
	<b>Date of Decision:</b>		09/02/2023	
	<b>Link to full decision:</b>			
	<a href="https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3300029">https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3300029</a>			
	<b>Inspector's Key conclusions:</b>			
	<p>The development proposed is proposed erection of a detached dwelling following demolition of a garage.</p> <p>The scheme has been amended from that which was previously refused. However, its location partially on the same footprint of the garage building does not preserve this existing relationship with 60 Roman Way, as the appellant suggests. Rather the inclusion of a first floor results in a discordant feature in its relationship to this existing property resulting in adverse impacts on the appearance of the streetscene.</p> <p>However, the design of the appeal scheme reflects more closely the architectural features of the housing along Roman Way and not those of the CA. I acknowledge that the Framework supports the efficient use of land but this requires balance against its policies which support good design and the protection of heritage assets. Whilst the existing state of the site detracts from the CA the appeal scheme would not preserve or enhance its character and appearance. Although this would be less than substantial harm I do not regard the addition of a single dwelling to the housing stock as a public benefit which could outweigh the harm which would result on the character and appearance of the area with specific regard to the Markyate CA.</p> <p>Policy CS8 requires the provision of safe and accessible parking spaces in accordance with adopted standards; these require the provision of a single off street parking space for this scheme. The appellant identifies that the scheme would be for car free housing. However, Markyate is not one of the Borough's 'Accessability Zones' defined by the parking SPD1 where this form of housing could be allowed. The roads around the appeal site are narrow, heavily parked and during my site visit I saw examples of vehicles using pedestrian footways to gain access along the High Street. The area is under acute parking stress. For this reason, I regard the inclusion within the scheme of off street parking as necessary to avoid on street parking which could further compromise highway safety. For these reasons I find conclude that the appeal scheme conflicts with Policy CS8 and the adopted parking standards.</p>			

### **6.3 PLANNING APPEALS ALLOWED**

Planning appeals allowed between 01 January 2023 and 13 February 2023.

<b>No.</b>	<b>DBC Ref.</b>	<b>PINS Ref.</b>	<b>Address</b>	<b>Procedure</b>
1	<a href="#">22/01305/FHA</a>	D/22/3302163	Imrie House, Doctors Commons Road, Berkhamsted	Householder
<b>Date of Decision:</b>			19/01/2023	
<b>Link to full decision:</b>				
<a href="https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3302163">https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3302163</a>				
<b>Inspector's Key conclusions:</b>				
<p>The development proposed is the erection of a first floor extension.</p> <p>The appeal site is within the Berkhamsted Conservation Area. One of the key features of this part of the Conservation Area are the age and design of residential buildings opposite and the nearby school buildings.</p> <p>The proposal would infill the first-floor front recess, squaring off the front corner of the house to include a window and rendered finished to match the existing facade. Both the additional window and retention of the brick detailing in the middle of the first-floor front elevation would break the bulk of the design when viewed from the street-scene and provides visual interest. The design would integrate with the existing flat roof, rendered facade and would still be very similar to the neighbouring property Zaya House and other houses in the same row. Therefore, the design would still respect existing densities, scale, roof height, and streetscape of existing contemporary designed houses of which there is not a predominant single design.</p> <p>The older buildings here do form part of the key features of the Conservation Area. These houses are in stark contrast to the row of contemporary houses the appeal site is within. I find that the effect of the extension on the existing design of the appeal house would not result in significant harm for the reasons set out above, and that there would be no harm to the character or appearance of the Conservation Area, which the proposal would preserve. I therefore conclude that the development does not have a detrimental effect on the character and appearance of the Berkhamsted Conservation Area.</p>				

### **6.4 PLANNING APPEALS WITHDRAWN**

Planning appeals withdrawn between 01 January 2023 and 13 February 2023.

None.

## **6.5 ENFORCEMENT NOTICE APPEALS LODGED**

Enforcement Notice appeals lodged between 01 January 2023 and 13 February 2023.

<b>No.</b>	<b>DBC Ref.</b>	<b>PINS Ref.</b>	<b>Address</b>	<b>Procedure</b>
1	E/19/00444/NAP	C/23/3314025	Plot 1 Cupid Green Lane, Hemel Hempstead	Written Representations
2	E/19/00444/NAP	C/22/3313454	Plot 1 Cupid Green Lane, Hemel Hempstead	Written Representations
3	E/22/00349/NPP	C/23/3315084	Land At Berry Farm, Upper Bourne End Lane	Written Representations

## **6.6 ENFORCEMENT NOTICE APPEALS DISMISSED**

Enforcement Notice appeals dismissed between 01 January 2023 and 13 February 2023.

None.

## **6.7 ENFORCEMENT NOTICE APPEALS ALLOWED**

Enforcement Notice appeals allowed between 01 January 2023 and 13 February 2023.

None.

## **6.8 ENFORCEMENT NOTICE APPEALS WITHDRAWN**

Enforcement Notice appeals withdrawn between 01 January 2023 and 13 February 2023.

None.

**6.9 SUMMARY OF TOTAL APPEAL DECISIONS IN 2023 (up to 13 February 2023).**

<b>APPEALS LODGED IN 2022</b>	
PLANNING APPEALS LODGED	10
ENFORCEMENT APPEALS LODGED	3
TOTAL APPEALS LODGED	13

<b>APPEALS DECIDED IN 2022</b> (excl. invalid appeals)	<b>TOTAL</b>	<b>%</b>
TOTAL	3	100
APPEALS DISMISSED	2	66.6
APPEALS ALLOWED	1	33.3
APPEALS PART ALLOWED / PART DISMISSED	0	0
APPEALS WITHDRAWN	0	0

	<b>TOTAL</b>	<b>%</b>
<b>APPEALS DISMISSED IN 2023</b>		
Total	2	100
Non-determination	2	100
Delegated	0	0
DMC decision with Officer recommendation	0	0
DMC decision contrary to Officer recommendation	0	0

<b>APPEALS ALLOWED IN 2023</b>	<b>TOTAL</b>	<b>%</b>
Total	1	100
Non-determination	0	0
Delegated	1	100
DMC decision with Officer recommendation	0	0
DMC decision contrary to Officer recommendation	0	0

## 6.10 UPCOMING HEARINGS

No.	DBC Ref.	PINS Ref.	Address	Date
1	22/00456/FUL	W/23/3316262	Former Convent Of St Francis De Sales Preparatory School, Aylesbury Road, Tring	tbc

## 6.11 UPCOMING INQUIRIES

No.	DBC Ref.	PINS Ref.	Address	Date
1	E/21/00041/NPP	C/22/3290614	The Old Oak, Hogpits Bottom Flaunden	tbc
2	21/04770/FUL	W/22/3309745	Hamberlins Farm, Hamberlins Lane, Northchurch	tbc
3	22/01187/MOA	W/22/3309923	Land East of Tring	07.03.23 (scheduled for 16 days)

## 6.12 COSTS APPLICATIONS GRANTED

Applications for Costs granted between 01 January 2023 and 13 February 2023.

No.	DBC Ref.	PINS Ref.	Address	Procedure
1	21/04756/FUL	W/22/3300850	1 Dale End, Box Lane, Hemel Hempstead	Hearing
	<b>Date of Decision:</b>		09/01/2023	
	<b>Link to full decision:</b>			
	<a href="https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3300850">https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3300850</a>			
	<b>Inspector's Key conclusions:</b>			
	<p>The application for costs is allowed in part.</p> <p>The applicants claim that the Council failed to deal with the application the subject of this appeal in a timely manner...the Council did not act proactively in engaging with the applicants to narrow down the reasons for refusal facilitating minor amendments to the scheme.</p>			

The applicants further submitted that the Council's pursuit of the sustainable transport main issue was unreasonable because it prevented or delayed development which should have clearly been permitted, they failed to produce evidence to substantiate this reason for refusal and made vague, generalised or inaccurate assertions about the proposal's impact, unsupported by any objective analysis...the Council should have accepted that the site was acceptable in sustainable transport terms.

It is clear from the extent of correspondence that the Council did attempt to negotiate improvements to the scheme to address issues identified with it. The applicants had to chase responses on several occasions, and it appears that in some instances the information provided was somewhat fragmentary and contradictory in nature, with the applicants' agent highlighting instances of the Council requesting information previously submitted, or where it differed in the way in which officers assessed the appeal proposal in comparison to developments on nearby sites. I have no doubt that this was frustrating, but where the Council did respond they were seeking amendments to try and resolve issues.

While the Council did not determine the application before the appeal was submitted, they have provided reasons for which they would have refused planning permission. It is clear, despite the applicants' efforts and the negotiations between the parties, that there were fundamental differences on certain issues.

The main parties were far apart in their positions on the acceptability of the proposed development. The Council would have refused permission for the application without substantial revisions or waited to determine it until the Chilterns Beechwoods matter could be resolved. Given those differences I do not consider that this appeal could have been avoided, even if the Council had been timelier in their communications. Accordingly, while there is evidence of unreasonable behaviour on the Council's part in the time taken to respond to correspondence on the application, I do not consider that this has caused the applicants to incur unnecessary or wasted expense in the appeal process.

However, in relation to the sustainable transport issue I consider that the Council acted unreasonably in pursuing this once the Boxmoor Lodge site had received permission. No access was secured to the appeal site as part of that permission, although both site owners had indicated an agreement in principle on their application plans. In continuing to pursue this point through a reason for refusal and onto the appeal, the Council has acted unreasonably and caused the applicant to incur additional costs when securing the access and route falls outside of the applicants' control.

### **6.13 COSTS APPLICATIONS REFUSED**

Applications for Costs refused between 01 January 2023 and 13 February 2023.

**None.**

### **6.14 FURTHER SUMMARY OF APPEALS IN 2023**

<b>APPEALS LODGED IN 2023</b>	<b>TOTAL</b>	<b>% OF TOTAL</b>
HOUSEHOLDER	3	23.1
MINOR	5	38.5
MAJOR	0	0
LISTED BUILDING	0	0
CONDITIONS	0	0
TELECOMMUNICATIONS	0	0
LAWFUL DEVELOPMENT CERTIFICATE	0	0
PRIOR APPROVAL	2	15.4
ENFORCEMENT	3	23.1
<b>TOTAL APPEALS LODGED</b>	<b>13</b>	<b>100</b>

<b>APPEALS DECIDED IN 2022</b> (excl. invalid appeals)	<b>TOTAL</b>	<b>%</b>
HOUSEHOLDER	1	33.3
MINOR	2	66.6
MAJOR	0	0
LISTED BUILDING	0	0
CONDITIONS	0	0
TELECOMMUNICATIONS	0	0
LAWFUL DEVELOPMENT CERTIFICATE	0	0
PRIOR APPROVAL	0	0
ENFORCEMENT	0	0
<b>TOTAL APPEALS DECIDED</b>	<b>3</b>	<b>100</b>