

**4/00738/17/FHA - TWO STOREY SIDE EXTENSION, PART TWO STOREY AND PART SINGLE STOREY REAR EXTENSION AND DEMOLITION OF GARAGE.  
14 COOMBE GARDENS, BERKHAMSTED, HP4 3PA.  
APPLICANT: Mr & Mrs Bartlett.**

---

[Case Officer - Amy Harman]

### **Summary**

The application is recommended for approval.

### **Site Description**

The site is currently occupied by a two storey semi-detached dwelling located on the southern side of Coombe Gardens. Coombe Gardens is elevated to the north towards Berkhamsted High Street, therefore levels are raised towards the rear of the property. Dwellings in the street share visual similarities in terms of design and external materials. Several have been extended.

### **Constraints**

Town  
BCA16 - Durrants

### **Proposal**

The proposal is for a two storey side extension, part two storey and part single storey rear extension and demolition of garage.

### **Referral to Committee**

The application is referred to the Development Control Committee due to the contrary views of Berkhamsted Town Council.

### **Planning History**

None found

### **Policies**

#### National Policy Guidance

National Planning Policy Framework (NPPF)  
Circular 11/95

#### Adopted Core Strategy

NP1 - Supporting Development  
CS1 - Distribution of Development  
CS4 - The Towns and Large Villages  
CS8 - Sustainable Transport  
CS10 - Quality of Settlement Design  
CS11 - Quality of Neighbourhood Design  
CS12 - Quality of Site Design  
CS28 - Renewable Energy  
CS29 - Sustainable Design and Construction  
CS31 - Water Management

Saved Policies of the Dacorum Borough Local Plan

Appendices 5, 7

Supplementary Planning Guidance / Documents

Environmental Guidelines (May 2004)

Area Based Policies (May 2004) - Residential Character Area [ BCA 16: Durrants ]

Advice Notes and Appraisals

Sustainable Development Advice Note (March 2011)

**Summary of Representations**

Berkhamsted Town Council

The mass and bulk of these proposals would impact adversely on the amenity of neighbours by blocking their light.

CS12.

Hertfordshire Highways

Awaiting comments

Response to Neighbour Notification / Site Notice / Newspaper Advertisement

13 and 15 Coombe Gardens - Object:

**13 coombe gardens**

I live at 13 Coombe gardens and am thus the owner of the adjoined semidetached house of 14 Coombe gardens and **I would like to object to the planning application and appeal against it.**

I have looked at the proposed extension and the ground floor rear extension of 3metres of living space will run along our current shared midline property boundaries. It will extend into the garden along the midline of our shared property boundary. In winter and summer this proposed extension will completely blocking early afternoon to evening light [south west and westerly light] from my main living area and will mean my current living space will be shrouded by a high wall and darkness.

I chose to live in my current house because of it aspect and access to south and westerly light I have looked on Google earth and no other semidetached house in Coombe gardens has been extended into the midline of the properties and all have been extended into the current footprint of their houses and extended sideways into empty/garage space so as not to impinge on adjoining houses-

This planning application would be contrary to the format of other extensions in Coombe Gardens and would be personally unacceptable to me for the above reasons

**15 Coombe Gardens**

As next door neighbours to the proposed development we are directly impacted by this proposal. I object on the following grounds:

1. There will be a significant loss of light to our patio which will now be hemmed in by the second floor extension at the rear of the property at 14 Coombe Gardens.
2. There will also be a significant loss of light to our rear single story extension by the second floor extension at the rear of the property at 14 Coombe Gardens.
3. The line of sight from our patio or single storey rear extension is made worse by the proposed second floor extension. The loss of light is not restricted to the height of the second floor but further by the height of the roof which will put our back patio

and living areas into darkness.

4. The proposed extension at the rear of the property is out of character with the rest of the properties on the road. No other property on the street has a two storey rear extension.
5. The mass, bulk and proximity of the rear elevation represents an unneighbourly form of development, detrimental to us as occupiers of the adjoining property, particularly by reason of the overbearing effect.

## **Considerations**

The main issues of relevance to the consideration of this application relate to the impact of the proposed extensions on the character and appearance of the original building and the street scene, the impact on neighbouring properties, and the impact on car parking.

### Policy and Principle

The application site is located within a residential area, wherein the principle of a residential extension is acceptable subject to compliance with the relevant national and local policies outlined below. The main issues to the consideration of this application relate to the impact of the proposed extension upon the character and appearance on the existing dwelling house, immediate street scene and residential amenity of neighbouring properties.

### Effects on appearance of building and the street scene

Saved Appendix 7 of the Dacorum Local Plan (1991), policies CS11, CS12 of the Core Strategy (2013) and the NPPF (2012) 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.

TCA 11 relates to the Durrants Road area and identifies that extensions are required to be subordinate in scale to the parent dwelling.

The proposed side extension projects 2.32 metres from the side of the existing house and 3 metres from the existing rear elevation. The extension is set down to a maximum of 0.73 metres below the existing ridge and set back from the front elevation by at least 1 metre. A 1.24 metre gap is retained between the existing property and number 15 Coombe Gardens this is considered to be visually subservient to the existing dwelling and therefore not considered visually intrusive or harmful to the character and appearance of the dwelling or street scene; accordingly the proposed coheres with the NPPF (2012), appendix 7 of the Dacorum Local Plan (1991) and CS11, CS12 of the Core Strategy (2013).

In accordance with the submitted application the proposed extension would be of traditional design comprising facing brick walls to match existing, concrete tiled gable roof and white UPVC windows and doors; all of which would complement the existing dwellinghouse. These materials are considered acceptable for this type of extension and in-keeping with the existing dwelling house, complying with Policy CS12 of the Core Strategy (2013).

### Impact on Neighbours

There have been objections from Berkhamsted Town council and both neighbours at 13 and 15 Coombe Garden that the proposals would impact their daylight / sunlight both into their properties and their amenity space.

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 (1991) and Policy CS12 of the Core Strategy (2013) seek to ensure that new development does not result in detrimental impact upon the neighbouring properties and their amenity space. Thus, proposals should be designed to reduce any impact on neighbouring properties by way of visual intrusion, loss of light and privacy. Moreover, Saved Appendix 7 of the Local Plan advises that alterations should be set within a line drawn at 45 degrees from the nearest neighbouring habitable window.

The applicant has prepared a drawing showing the 45 degree angle at both levels of the proposed extension to the closest room (utility room) at 15 Coombe Gardens. This demonstrates that the two storey element of the proposed two storey extension does not impinge on it. Furthermore, due to the orientation of the gardens the sun would come around during the day to the west whereby the extension proposed would have no effect on sunlight into either the rear windows or the amenity space of 15 Coombe Gardens. As a result, it is not considered that there would be a significant loss of daylight or sunlight to neighbouring ground floor windows as a result of the proposal.

With regards to the effect of the proposed extension on the neighbour at 13 Coombe Gardens, the single storey element of the rear extension (adjacent to this neighbour) projects 3 metres from the existing rear elevation. This does not breach the 45 degree line when taken from the nearest window of 13 Coombe Gardens. Furthermore it is worth noting this element of the proposal could be undertaken without the need for planning permission.

Furthermore, no invasion of privacy would occur to neighbouring residents as the new windows on the west elevation at first floor level would be conditioned to be obscure glazed and non-opening below 1.7m.

Moreover, the proposed doors and windows to the rear elevation of the extension are appropriate in size, position and height; in-keeping with the existing fenestration's of the dwelling house. Subsequently they would not result in additional impact upon the residential amenity and privacy of neighbouring residents.

Additionally, Saved Appendix 3 of the Local Plan states that properties should have a rear garden depth of 11.5m. In this case this would be retained meeting the Saved guidance.

Thus, the proposed extension would not impact upon the residential amenity and privacy of neighbouring residents. As a result the rear extension in regards to residential amenity is acceptable in terms of the NPPF (2012), Saved Appendix 3 of the Local Plan (1991) and Policy CS12 of the Core Strategy (2013).

One objection related to a lack of similar extensions in the locality, although each planning application is considered on its own merits, it is worth noting that similar two storey side and rear extensions have been granted at 28 (4/01202/11/FHA) and 29 (4/00110/08/FHA) Coombe Gardens and a two storey rear extension was granted at 30 Coombe Gardens (4/00037/95/FHA).

#### Impact on Highway Safety

Highways comments;

Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to conditions / informatives.

The Council's Parking guidelines within Saved Appendix 5 of the Local Plan (1991) set out the 'maximum' parking standards. The guidance sets out that a maximum of 3 spaces should be

provided for a 4/5 bed house. The current driveway would allow for 2 cars to be parked comfortably. The existing garage, which is to be demolished, would struggle to fit a modern car and therefore the proposal does not result in the loss of parking. The standards are only set out as a maximum and in this location there are no restrictions on-street parking. On both my visits to the site, there was plenty of available car parking on street. Subsequently, it is not considered that the proposal would impact on the safety and operation of the adjacent highway. The proposal meets the requirements of policy CS12 of the Core Strategy (2013) and saved appendix 5 of the Local Plan (1991).

#### Other Material Planning Considerations

##### Community Infrastructure Levy (CIL)

Policy CS35 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 (CIL) was adopted in February 2015 and came into force on the 1st July 2015. This application is not CIL Liable due to resulting in less than 100m<sup>2</sup> of additional floor space.

RECOMMENDATION - That planning permission be **GRANTED** for the reasons referred to above and subject to the following conditions:

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

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

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

**17/104.001**  
**17/104.002**  
**17/104.003**  
**17/104.004**  
**17/104.005**  
**17/104.006**  
**17/104.007**  
**17/104.008**

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

- 3 Prior to the commencement of the use hereby permitted the vehicular access for the existing property shall be widened to a maximum width of 5.4 metres to accord with the Hertfordshire County Council residential access construction specification. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.**

Reason: In the interest of highway safety and traffic movement in accordance with Adopted Core Strategy CS12

- 4 **The windows at first floor level in the western elevation of the extension hereby permitted shall be permanently fitted with obscured glass and non-opening below 1.7 metres 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 Adopted Core Strategy CS12

### **Article 35 Statement**

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

Informatives:

1. The Highway Authority requires the alterations to or the construction of the vehicle crossovers to be undertaken such that the works are carried out to their specification and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.), the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. The applicant may need to apply to Highways (Telephone 0300 1234047) to arrange this, or use link:-  
<https://www.hertfordshire.gov.uk/droppedkerbs/>

2. Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website  
<http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 123404.