

**4/02928/17/FHA - PROPOSED TWO-STOREY AND SINGLE STOREY SIDE EXTENSION,  
FIRST FLOOR REAR EXTENSION, ONE REAR AND TWO SIDE ROOF WINDOWS.  
8 LITTLE GADDESSEN, BERKHAMSTED, HP4 1PA.  
APPLICANT: Ms Lane.**

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[Case Officer - Rachel Marber]

## **Summary**

### **This application is recommended for refusal**

The proposal would result in harm to the form, plan, character and appearance of the existing property and resultant wider conservation area. It is considered that the harm identified would be substantial harm to which considerable importance and weight is attributed. The public benefits of the proposal have been identified and considered. These public benefits do not provide sufficient justification to override the presumption in favour of preservation. As such, the substantial harm identified to the character and setting of existing building and conservation area would be irreversible and affect this and future generations ability to appreciate the significance of these heritage assets. The development would therefore be contrary to the requirement of section 66 (1) of the LBA, Paras 132 and 134 of NPPF (2012), Policy CS27 of the Core Strategy (2013) and Saved Policy 120 of the Local Plan (2004).

## **Site Description**

The application site is located to the east of Little Gaddesden. The site comprises a two storey semi-detached dwelling set beneath a steeply pitched tiled roof which falls within the Area of Outstanding Natural Beauty, Little Gaddesden conservation area and The Rural Area. The existing streetscene is a small row of attractive detached and semi-detached dwellings with slate tiles, red brick and a variety of designs.

## **Proposal**

This application seeks permission for a two storey side extension and first floor rear extension.

## **Referral to Committee**

This application is referred to the Development Management Committee due to contrary views of Little Gaddesden Parish Council.

## **Relevant Planning History**

4/00422/01/FUL	DEMOLITION OF LEAN-TO, CONSTRUCTION OF GROUND AND FIRST FLOOR REAR EXTENSION AND SIDE CANOPY PORCH AND INSERTION OF ROOFLIGHTS Granted 04/05/2001
4/1272/80	REAR EXTENSION, PORCH AND DETACHED GARAGE Granted 06/10/1980

## **Policies**

National Planning Policy

National Policy Guidance (2017)

National Planning Policy Framework (NPPF) (2012)

Adopted Core Strategy (2013)

CS7 - Rural Area

CS8 - Sustainable Transport

CS11 - Quality of Neighbourhood Design

CS12 - Quality of Site Design

CS24 - The Chilterns Area of Outstanding Natural Beauty

CS27 - Quality of the Historic Environment

Saved Policies of the Dacorum Borough Local Plan (2004)

Policy 22 - Extensions to Dwellings in the Green Belt and the Rural Area

Policy 57 - Provision and Management of Parking

Policy 58 - Private Parking Provision

Policy 97 - Chilterns Area of Outstanding Natural Beauty

Policy 120 - Development in Conservation Areas

Appendix 3 - Gardens and Amenity Space

Appendix 5 - Parking Provision

Appendix 7 - Small-scale House Extensions

**Constraints**

Established residential area of Little Gaddesden

- Little Gaddesden Conservation Area
- The Rural Area
- Special Control for Advertisements
- Area of Outstanding Natural Beauty

**Summary of Representations:**

**Comments received from consultees:**

Building Control

**No Comment**

Little Gaddesden Parish Council

**Support**

DBC Conservation

## **Objection**

We would agree with the heritage statement of the application in relation to its characterisation of the Little Gaddesden conservation area. The cottage is as described a two storey semi detached dwelling set beneath a steeply pitched tiled roof. The central chimney stack makes an important focal point within the roofscape. The original dwelling is modest in scale and clearly reflects the original use as a workers cottage within the wider estate. Whilst both it and its semi-detached neighbour have been extended to the rear the form of the original can be seen and remains relatively unaltered. In addition it is noted that heading towards the village the cottages have been extended to the rear and the core buildings and rhythm of development can be read and understood.

The rear elevations of this property and others within the group of buildings in Little Gaddesden are characterised by having had a number of extensions to a variety of designs over time. The current extension replaced an earlier extension and was constructed circa 2001. However as noted above the side and facades of this pair of cottages have not been extended therefore maintaining the original scale, proportion, balance and character when viewed from the front and within the wider streetscape. The proposed substantial extension to the side and rear would therefore significantly disrupt the form and plan of the original dwellings. This would be most harmful to the character of this pair of cottages, unbalance the principle elevation and therefore be contrary to policy. In particular the substantial side extension to the original cottage would fail to integrate satisfactorily create a most unfortunate facade and erode the character of this pair of cottages as well as cause harm to the wider group.

The building is located within the conservation area of little Gaddesden and the proposal is therefore a designated heritage asset. The Framework states that as heritage assets are an irreplaceable resource they should be conserved in an appropriate manner. Under section 72(1) of the act "special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area". The proposed extension would fail to preserve or enhance the appearance of the conservation area as the overly large extension which is not sympathetic to the original form, scale and character of the original building and as such is contrary to the principle of the act. The guidance in paragraph 134 of the framework states that "when a development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal". The harm also gives rise to a strong presumption against the granting of planning permission. The harm would not only impact on the character of this building but the conservation area as a whole as the incremental and cumulative loss of the appearance of the modest cottages would adversely affect the conservation area and wider heritage asset. I would give this harm a moderate weight. The harm would not be outweighed by the public benefit. Therefore following the weighting exercise in the framework we would object to the application and recommend refusal.

## **Recommendation**

We would object and recommend refusal as the proposal would have a most detrimental impact on the character of the building and the wider conservation area and is therefore contrary to local policy and national government guidance.

## **Key Considerations**

### Principle of Development with a Rural Area

The application site resides within a Rural Area where Policy CS7 of the Core Strategy (2013) advises that limited extensions to existing buildings are acceptable provided that there is no detrimental impact on the character and appearance of the countryside. Saved Policy 22 of the

Local Plan (2004) promulgates that development should be limited in size, well-related to the existing building, well designed with regard to the size and shape of the site and retain sufficient space around the building so as not to appear visually intrusive on the skyline or in the open character of the surrounding countryside.

The application site has been extended in the past as the table below shows:

	<b>Type of Extension</b>	<b>Ground/first floor area</b>
Original Dwelling		63.9 sq. metres
Existing Extensions	Ref 4/1272/80 Rear extension, porch and garage	Garage: 18.3 sq. metres Extension: 11.5 sq metres (Porch not included - replaced a similar size porch)
	Rear Lean-to	4.6 sq. metres
	Ref: 4/00422/01/FUL Ground and first floor rear extension	Ground floor (minus the existing extension and lean-to: 12.71 sq. metres First Floor: 14.22 sq. metres
	Total existing extensions	61.33 sq metres
		<b>96%</b>
<b>Proposed % increase o/a original</b>	Two storey side and first floor rear extension	<b>43 sq.m</b>  <b>Total = 163%</b>

Although the dwelling has already had a considerable increase, it is important to note that the application site is not located within an isolated location and therefore the proposal would result in limited harm to the skyline and open character of the surrounding countryside. Since the Local Plan Policy was created in 2004 the NPPF has been published (2012) which offers more flexibility in regards to extension size in rural areas. As a result a refusal on rural amenity grounds would be considered unsubstantiated.

Effect on Appearance of Existing Building, Chilterns Area of Outstanding Natural Beauty and Conservation Area

The application site is also located within the Chilterns Area of Outstanding Natural Beauty wherein the principle of development is subject to prime planning considerations which give regard to the conservation of the beauty of the area in addition to the economic and social well-being of the area and its communities. Thus, development is permitted subject to its satisfactory assimilation into the landscape and accordance with Saved Policy 97 of the Local Plan (2004) and policy CS24 of the Core Strategy (2013).

S66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBA) requires that special regard shall be had to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest that it possesses. S72 (1) of the LBA requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

Paragraph 64 of the NPPF (2012) states that permission should be refused for developments of poor design which fail to improve the character and quality of an area. Policy CS27 of the Core Strategy (2013) and Saved Policy 120 of the Dacorum Local Plan (2004) reinforce this, in addition to stating that great weight should be given to the conservation of designated heritage assets in considering the impact of proposed developments within a conservation area.

In addition, Saved Appendix 7 of the Dacorum Local Plan (2004), Policies CS11 and 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.

Due to the sensitive nature of the site the DBC conservation officer was consulted on the proposal and provided the following representation:

*'The central chimney stack makes an important focal point within the roofscape. The original dwelling is modest in scale and clearly reflects the original use as a workers cottage within the wider estate. Whilst both it and its semi-detached neighbour have been extended to the rear the form of the original can be seen and remains relatively unaltered. In addition it is noted that heading towards the village the cottages have been extended to the rear and the core buildings and rhythm of development can be read and understood.'*

*'The side and facades of this pair of cottages have not been extended therefore maintaining the original scale, proportion, balance and character when viewed from the front and within the wider streetscape. The proposed substantial extension to the side and rear would therefore significantly disrupt the form and plan of the original dwellings. This would be most harmful to the character of this pair of cottages, unbalance the principle elevation and therefore be contrary to policy. In particular the substantial side extension to the original cottage would fail to integrate satisfactorily create a most unfortunate facade and erode the character of this pair of cottages as well as cause harm to the wider group. I would give this harm a moderate weight. The harm would not be outweighed by the public benefit. Therefore following the weighting exercise in the framework we would object to the application and recommend refusal.'*

The moderate harm identified to the both existing building and appearance of the conservation area as a whole would mean there is a failure to preserve the setting of the conservation area, contrary to section 66 of the LBA to which considerable importance and weight is attributed.

This harm identified should be weighed against the public benefits of the proposal. The public benefits of this proposal are acknowledged below:

Provision of a larger family home

Economic benefits of the construction including jobs secured in the construction and in the manufacture of building materials.

The public benefits of the scheme are afforded limited weight.

Thus, the public benefits of the proposal have been identified and considered. These public benefits are considered less than significant and do not provide sufficient justification to override the presumption in favour of preservation. As such, the substantial harm identified to the character and appearance of the existing building and conservation area would be irreversible and affect this and future generations ability to appreciate the significance of these heritage assets. The development would therefore be contrary to the requirement of section 66

(1) of the LBA, Paras 132 and 134 of NPPF (2012), Policy CS27 of the Core Strategy (2013) and Saved Policy 120 of the Local Plan (2004).

#### Effect on Amenity of Neighbours

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

It is not considered that the proposed two storey side extension would result in a significant further loss of privacy or outlook to neighbouring property No.7 Little Gaddesden due to a marginal 1.5 metre further width and existing mutual overlooking between these properties; with the location and number of windows facing the boundary relatively retained.

The proposed first floor rear extension is not considered to result in a significant loss of outlook or daylight to the rear facing window of No.9 Little Gaddesden due to being located to the north of this neighbour and marginal 3 metre depth.

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

#### Impact on Parking and Access

Policy CS12 of the Core Strategy (2013) seeks to ensure developments have sufficient parking provision. Paragraph 39 of the NPPF (2012) states that if setting local parking standards authorities should take into account the accessibility of the development, the type, mix and use of the development, availability of public transport; local car ownership levels and the overall need to reduce the use of high emission vehicles. Policies CS8 of the Core Strategy (2013) and Saved Policies 57, 58 and Appendix 5 of the Local Plan (2004) promote an assessment based upon maximum parking standards.

The proposal would not result in an increase to the dwellinghouse size but would result in the loss of vehicle access to the detached garage. Nonetheless, DBC standards outline maximum provision and off street parking provision remains sufficient to accommodate at least four domestic cars with on street parking also available. As such the proposed development is not considered to impact upon highway or pedestrian safety; in accordance with Policies CS8 and CS12 of the Core Strategy (2013) and Saved Appendix 5 of the Local Plan (2004).

#### 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 **REFUSED** for the following reasons:

**S66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBA) requires that special regard shall be had to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest that it possesses. S72 (1) of the LBA requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.**

**The proposal would result in harm to the form, plan, character and appearance of the existing property and resultant wider conservation area. It is considered that the harm identified would be substantial harm to which considerable importance and weight is attributed. The public benefits of the proposal have been identified and considered. These public benefits do not provide sufficient justification to override the presumption in favour of preservation. As such, the substantial harm identified to the character and setting of existing building and conservation area would be irreversible and affect this and future generations ability to appreciate the significance of these heritage assets. The development would therefore be contrary to the requirement of section 66 (1) of the LBA, Paras 132 and 134 of NPPF (2012), Policy CS27 of the Core Strategy (2013) and Saved Policy 120 of the Local Plan (2004).**

#### Article 35 Statement

Planning permission has been refused for this proposal for the clear reasons set out in this decision notice. The Council has not acted pro-actively through positive engagement with the applicant as in the Council's view the proposal is unacceptable in principle and the fundamental objections cannot be overcome through dialogue. Since no solutions can be found the Council has complied 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.