

**4/03269/17/FUL - TWO STOREY AND SINGLE STOREY EXTENSIONS AND REAR DORMER TO FORM NEW DWELLING (AMENDED SCHEME)..
17 CHESTNUT DRIVE, BERKHAMSTED, HP4 2JL.
APPLICANT: MR & MRS J BENNETT.**

[Case Officer - Briony Curtain]

Summary

The application is recommended for approval.

The application is an amended scheme and proposes extensions to the existing property No. 17 Chestnut Drive and the construction of an attached four-bedroom dwelling.

Planning Permission for an attached dwelling and larger extensions was granted by Members in December 2017. The amended scheme omits the two storey rear extensions, and one of the rear dormers. The current scheme as now proposed is considered preferable to that previously approved. The mass and bulk to the rear is lesser which is preferable in visual terms and would reduce the impact on adjacent properties in terms of light, privacy and visual intrusion. The loss of these elements also results in two less bedrooms across the site (one per dwelling) which would be preferable in parking terms.

Policy CS17 of the Core Strategy seeks to promote residential development to address a need for additional housing within the borough and new dwellings are supported in principle by policy CS18 of the Core Strategy. Furthermore, in accordance with policy CS4 of the Core Strategy the principle of residential development in a town such as Berkhamsted is generally held to be acceptable subject to planning considerations such as impact upon visual amenity, residential amenity, amenity provision, trees and landscaping, and parking and access.

The additional dwelling would essentially mirror the form, scale and detailing of the existing dwelling creating a symmetrical, semi-detached pair. The layout and design is acceptable and would achieve an acceptable level of integration with the neighbouring properties. The smaller extensions are considered an acceptable addition in terms of their size, scale and form and would not harm the host building. Given the design, position and orientation the development would not adversely affect the residential amenities of adjacent properties (neither the existing properties or those recently granted planning permission). Adequate parking and private amenity space is provided.

The proposal is in accordance with the aims of the National Planning Policy Framework, Policies CS4, CS8, CS11 and CS12 of the Dacorum Core Strategy 2013 and saved Policies 18, 21 and 58 of the Dacorum Borough Local Plan 1991-2011. Furthermore it represents an improvement to the previously approved scheme.

Application Site and Surrounding Area

The application site is located on the south side of Chestnut Drive, Berkhamsted which resides within the Swing Gate Character Area Appraisal (BCA2). The application site currently comprises a detached two-storey dwelling, detached single garage which is set well back within the plot and associated gardens and parking.

The new dwelling would be constructed on what is currently the side garden of No. 17.

The surrounding area is characterised by a mixture of semi-detached and detached dwellinghouses and bungalows. Each property is relatively uniform in regards to build line but varied in terms of architectural style, roof form, size, separation distances and height.

There have been a number of recent developments and in-fill dwellings in the street scene and planning permission has very recently been granted for the demolition of the adjacent bungalow and construction of a pair of semi-detached dwellings.

Proposal

Planning permission is sought for an amended scheme; extensions to the existing dwelling and the construction of an attached, 3 bedroom property.

Referral to Committee

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

Planning History

4/01804/17/FUL TWO STOREY, SINGLE STOREY EXTENSION, FRONT AND REAR DORMER TO EXISTING DWELLING. CONSTRUCTION OF NEW 4 BED DWELLING ADJACENT TO EXISTING DWELLING
Granted
15/12/2017

Policies

National Policy Guidance (2012)

National Planning Policy Framework (NPPF)

Adopted Core Strategy (2013)

CS1- Distribution of Development
CS2 - Selection of Development Sites
CS4 - The Towns and Large Villages
CS8 - Sustainable Transport
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS17 - New Housing

Saved Policies of the Dacorum Borough Local Plan (2004)

Policy 10 - Optimising the Use of Urban Land
Policy 18 - The Size of New Dwellings
Policy 21 - Density of Residential Development
Policy 51 - Development and Transport Impacts
Policy 58 - Private Parking Provision
Policy 99 - Preservation of Trees, Hedgerows and Woodlands

Policy 100 - Tree and Woodland Planting
Appendix 3 - Gardens and Amenity Space
Appendix 5 - Parking Provision

Supplementary Planning Guidance (2004)

Swing Gate Character Area Appraisal (BCA2).

Constraints

Established residential area of Berkhamsted

- Green Belt land to rear of site

Summary of Representations

Berkhamsted Town Council.

Objection - the proposal constitutes an over-development of the site

Herts Ecology

Recommend informative on bats.

Comments received from local residents

None Received.

Herts County Council Highways

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 the following conditions:

There is no material difference between this amendment and the original application from a Highways perspective, therefore the same response applies: Hertfordshire County Council as Highway Authority does not object to the development, subject to the conditions and informative notes below.

CONDITIONS:

1. Vehicular visibility splays of 2.4m x 43m shall be provided, and thereafter maintained, in both directions from the access, within which there shall be no obstruction to visibility between a height of 0.6m and 2m above the carriageway.

Reason: In the interest of highway safety.

2. Pedestrian visibility splays of 2m x 2m shall be provided, and thereafter maintained, on both sides of the new vehicle crossovers, which will be restricted to a double width, ie as per Roads in Herts - Highway Design Guide 3rd ed guidance, within which there shall be no obstruction to visibility between 0.6m and 2m above the carriageway.

Reason: In the interest of highway safety.

3. The proposed parking spaces shall have measurements of 2.4m x 4.8m respectively. Such spaces shall be maintained as a permanent ancillary to the development shall be paved and shall be used for no other purpose.

Reason: The above condition is required to ensure the adequate provision of off-street parking

at all times in order to minimise the impact on the safe and efficient operation of the adjoining Highway.

4. Before the premises are occupied all on site vehicular areas shall be surfaced in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: In order to minimise danger, obstruction, and inconvenience to users of the highway and of the premises.

5. All materials and equipment to be used during the construction shall be stored within the curtilage of the site unless otherwise agreed in writing by the Highways Authority prior to commencement of the development.

Reason: In the interest of highway safety and free and safe flow of traffic.

6. The gradient of the vehicular access shall not exceed 1:10 for the first 5 metres into the site as measured from the near channel edge of the adjacent carriageway .

Reason: In the interests of the safety of persons using the access and users of the highway.

The Highway Authority would ask that the following note to the applicant be appended to any consent issued by the local planning authority:-

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. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website: <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.

3. 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 1234047

COMMENTS

This application is for Two storey and single storey extensions and rear dormer to form new dwelling (amended scheme).

PARKING

Each property will have two parking spaces on a new hard standing to the front. I notice from drawing no "DBC/17/6/3 A" that the measurements for minimum parking space size have been met.

ACCESS The current property has an existing vxo onto Chestnut Drive, which will be altered to provide access to the parking spaces for the new dwelling, while a new double vxo is proposed for the existing dwelling. The maximum size for a double width VXO is 7.2m (6 standard kerbs plus two dropped kerbs). Chestnut Drive is an unclassified local access road with a speed limit of 30 mph, so vehicles are not required to enter and exit the site in forward gear.

CONCLUSION

Hertfordshire County Council as Highway Authority considers the proposal would not have an increased impact on the safety and operation of the adjoining highways.

Key Considerations

Policy and principle

The application site is located within the town of Berkhamsted.

Policy CS17 of the Core Strategy seeks to promote residential development to address a need for additional housing within the borough and new dwellings are supported in principle by policy CS18 of the Core Strategy. Furthermore, in accordance with policy CS4 of the Core Strategy the principle of residential development in a town such as Berkhamsted is generally held to be acceptable subject to planning considerations such as impact upon visual amenity, residential amenity, amenity provision, trees and landscaping, and parking and access.

Moreover, planning permission has already very recently been granted for a similar proposal. The current proposal is an amended scheme which is smaller than that previously approved (the shared two storey rear extension and one of the rear dormers has been omitted). There have also been a number of similar in-fill dwellings and residential developments (bungalows replaced with semi-detached dwellings) recently approved in the immediate area, which were also considered acceptable.

Taking the above into account, the proposal would make a valuable contribution to the Borough's existing housing stock (in accordance with Policy CS17). The development would be located in a sustainable location and seeks to optimise the use of previously developed urban land, the proposal is therefore in accordance with Policies CS1, CS4, CS17, CS18 and CS33 of the Core Strategy (2013), Saved Policy 10 of the Local Plan (2004) and the NPPF (2012).

Layout, density and design

The application seeks consent for an amended scheme. Extensions to the existing dwelling and the construction of a new attached dwelling have already been granted under permission 4/01804/17/FUL. The overall layout, density and design has thus already been accepted as appropriate and in accordance with Policies Cs12. The new proposal sees the omission of the previously approved two storey rear wing (which extended across the existing and proposed dwelling and exhibits a shared gable) which is preferable as it reduces the overall site coverage.

The additional dwelling would essentially mirror the form, scale and detailing of the existing dwelling creating a symmetrical, semi-detached pair. The layout and design is acceptable and would achieve an acceptable level of integration with the neighbouring properties. The smaller extensions are considered an acceptable addition in terms of their size, scale and form and would not harm the host building. Given the design, position and orientation the development would not adversely affect the residential amenities of adjacent properties (neither the existing properties or those recently granted planning permission). Adequate parking and private amenity space is provided.

Impact on residential amenity

The proposal seeks consent for a smaller scheme. The mass and bulk of the shared two storey rear wing would be lost in the new proposal which is considered preferable in visual terms and with regard to the impact on both the properties to either side and those to the rear which are situated at right angles to the application site. The amended proposal continues to comply with Policy Cs12 of the Core Strategy and would not harm the residential amenities of adjoining properties in any significant way.

Highway Safety and Parking Provision

Again, given the current application seeks consent for less development, and the parking provision and arrangements would remain as previously approved, they are considered acceptable and preferable. The current proposal represents an improvement in highway and parking terms as there is a reduction in the total number of bedrooms across the site. Previously the existing dwelling was being enlarged from a 3-bedroom to a 4 bedroom dwelling and the new property was also to be 4 bedroomed. Both would be served by two off-street parking spaces. The amended scheme results in two three-bedroomed dwellings both of which would be served by 2 off-street parking spaces.

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; the application is CIL liable.

Other Considerations

Given the amendments sought during the course of this and the previous application and the relationship of the proposal with adjacent properties it is considered necessary and reasonable to remove PD rights with regard to class A extensions.

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:**

DBC / 17 / 11 / 1
DBC / 17 / 11 / 2
DBC / 17 / 11 / 3A
Design and Access Statement
Application form.

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

- 3 **The development hereby permitted shall be constructed fully in accordance with the materials specified on the approved drawings and application form.**

Reason: To ensure a satisfactory appearance to the development in accordance with Policy CS12 of the Core Strategy.

- 4 **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending or re-enacting that Order with or without modification) no development falling within the following classes of the Order shall be carried out without the prior written approval of the local planning authority:**

Schedule 2 Part 1 Classes A

Reason: To enable the local planning authority to retain control over the development in the interests of safeguarding the residential and visual amenity of the locality.

- 5 **The additional dwelling hereby permitted shall not be occupied until the arrangements for vehicle parking, shown on Drawing No. DBC/17/11/2 shall have been provided, and they shall not be used thereafter otherwise than for the purposes approved.**

Reason: To ensure the adequate and satisfactory provision of off-street vehicle parking facilities.

- 6 **Pedestrian visibility splays of 2 m x 2 m shall be provided before the new dwelling is first brought into use, and they shall thereafter be maintained, on both sides of the entrance to the site, within which there shall be no obstruction to visibility between 600 mm and 2 m above the carriageway.**

Reason: In the interest of highway safety; in accordance with Policies CS8 and CS12 of the Core Strategy (2013).

- 7 **The gradient of the vehicular access shall not exceed 1:10 for the first 5 metres into the site as measured from the near channel edge of the adjacent carriageway .**

Reason: In the interests of the safety of persons using the access and users of the highway; in accordance with Policies CS8 and CS12 of the Core Strategy (2013).

Article 35:

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 (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. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website:
<http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.

3. 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 1234047

4. All materials and equipment to be used during the construction should be stored within the curtilage of the site unless otherwise agreed in writing by the Highways Authority prior to commencement of the development.

Informative:

Paragraph 121 of the NPPF states that all site investigation information must be prepared by a competent person. This is defined in the framework as 'A person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation.'

Contaminated Land Planning Guidance can be obtained from Regulatory Services or via the Council's website www.dacorum.gov.uk

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.