

<b>4/00415/18/FHA</b>	<b>ROOF EXTENSION AND WINDOW ALTERATIONS.</b>
<b>Site Address</b>	<b>7 CHESTNUT CLOSE, POTTEN END, BERKHAMSTED, HP4 2QL</b>
<b>Applicant</b>	<b>Mr &amp; Mrs Guile, 7 CHESTNUT CLOSE</b>
<b>Case Officer</b>	<b>Rachel Marber</b>
<b>Referral to Committee</b>	<b>Contrary views of Nettleden with Potten End Parish Council</b>

## 1. Recommendation

1 That planning permission be **GRANTED**

## 2. Summary

2.1 The proposed loft conversion by way of porch canopy and roof extension, associate dormer window and roof lights through size, position and design would not adversely impact upon the visual amenity of the existing dwellinghouse, immediate street scene or the residential amenity of neighbouring residents. The proposal is therefore in accordance with Saved Appendices 3, 5 and 7 Policies 57 and 58 of the Dacorum Local Plan (2004), Policies CS6, CS8, CS11 and CS12 of the Core Strategy (2013) and the NPPF (2012).

## 3. Site Description

3.1 The application site is located to the North side of Chestnut Close and comprises a detached bungalow located within Potten End which is a designated small village in the Green Belt.

3.2 Chestnut Close comprises a small cluster of detached bungalows of varying architectural detailing, size, height and build line.

## 4. Proposal

4.1 The application seeks permission to raise the properties ridge height by 1.4 -1.8 metres in order to accommodate a loft conversion. One side dormer and six roof lights are proposed. A porch canopy is also proposed.

4.2 The proposed plans have been amended in order to overcome concerns raised by neighbouring residents. The following amendments have been made:

- Removal of two side dormers and replacement with roof lights.
- Change to material detailing of the proposed dormer and chimney alteration.

## 5. Relevant Planning History

4/02008/08/FHA SINGLE STOREY REAR EXTENSION, FRONT PORCH AND ALTERATIONS (AMENDED SCHEME)  
Granted  
01/12/2008

4/01672/08/FHA SINGLE STOREY REAR EXTENSION, FRONT PORCH AND ALTERATIONS  
Withdrawn  
29/09/2008

## 6. Policies

6.1 National Policy Guidance (2012)

National Planning Policy Framework (NPPF)  
National Planning Policy Guidance (NPPG)

## 6.2 Adopted Core Strategy – (2013)

CS6 – Selected Small Villages in the Green Belt  
CS8 - Sustainable Transport  
CS10 - Quality of Settlement Design  
CS11 - Quality of Neighbourhood Design  
CS12 - Quality of Site Design

## 6.3 Saved Policies of the Dacorum Borough Local Plan (2004)

57 - Provision and Management of Parking  
58 - Private Parking Provision  
Appendix 3 - Layout and Design of Residential Areas  
Appendix 5 – Parking Provision  
Appendix 7 - Small-scale House Extensions

## 7. Constraints

- Small village in the Green Belt

## 8. Representations

### Consultation responses

8.1 These are reproduced in full at Appendix A

### Neighbour notification/site notice responses

8.2 These are reproduced in full at Appendix B

## 9. Considerations

### Main issues

9.1 The main issues to consider are:

- Policy and principle
- Impact on Street Scene
- Impact on Residential Amenity
- Impact on Highway Safety
- Community Infrastructure Levy

### Policy and Principle

9.2 The application site is located within a selected small village in the Green Belt, wherein accordance to Policy CS6 of the Core Strategy (2013) 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 dwellinghouse, immediate street scene and residential amenity of neighbouring properties.

### Impact on Street Scene

9.3 Saved Appendix 7 of the Dacorum Local Plan (2004), 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.

9.4 Chestnut Close is a private road and due to heavy landscaping treatment along the north side of Hempstead Lane the application site would not be overtly visible from this principle street scene aspect. Moreover, the application site is not overtly visible from Chestnut Close, due to set back built line, situ of the dwelling within the plot and boundary treatment. It is also important to note the varied design and heights of properties within Chestnut Close, where several properties have also undergone loft conversions; the proposed loft conversion, raise in property ridge height and associated fenestrations would therefore not appear harmful within the street scene.

9.5 The proposed plans have been amended subsequent to neighbours' comments. A change made relates to the material detailing of the dormer window and chimney alterations. This amendment would ensure the new extensions would satisfactory assimilate with the parent dwelling, reducing the perception of the additional bulk added.

9.6 The proposed garage conversion into a workshop can commence without formal planning consent under Class A of the GDPO.

9.7 As such, the proposed works would not result in adverse impact upon the street scape, preserving both the character and appearance of the existing dwellinghouse and wider street scene.

#### Impact on Residential Amenity

9.8 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 visual intrusion, loss of light and privacy.

9.9 It is appreciated that the application site sits within a relatively constrained location, within close proximity to neighbouring properties both within Chestnut Close and Kiln Close. Taking the relationship of the application site and that of neighbouring residents into consideration it is not thought that an approximate average raise in ridge height of 1.5 metres would result in significantly further loss of outlook serving the rear windows of neighbouring properties due to maintained pitch which would set the height increase away from neighbouring residents. No loss of daylight or sunlight to neighbouring residents on Chestnut Close during prime sunlight hours would result from the proposed roof extension due to the northern orientation of the application site in relation to these properties. It is further considered that this increase in ridge height would not be perceived from properties at Kiln Close due to the pitch of roof and land levels. A daylight sunlight assessment has been submitted alongside the planning application demonstrating daylight and sunlight levels to No.6 Kiln Close would remain within the acceptable limits.

9.10 Moreover, the proposal has been amended to omit any dormer windows which would have resulted in a further loss of privacy or overlooking to neighbouring residents. Two dormer windows have therefore been replaced with roof lights, which would provide light into the rooms with a visual aspect to the sky only. The one remaining dormer window would serve the bathroom and therefore be fitted with an obscure glazed window which would not result in a loss of privacy to neighbouring residents; this has been secured by recommended condition. The roof lights proposed would provide sky aspect only and would not result in a loss of privacy or overlooking

to neighbouring residents.

9.11 Thus, the proposed extension work would not detrimentally impact the residential amenity of neighbouring properties, beyond existing site circumstance.

#### Impact on Highway Safety

9.12 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.

9.13 The application would increase the dwellinghouse size from a three bed into a four bed property. This would require an increase in 0.75 off street parking spaces. In addition, the proposal would result in the conversion of the single garage, resulting in the loss of one further off street parking space. Nonetheless, the existing driveway would have sufficient provision for three domestic cars, which would meet the maximum policy standard.

9.14 Due to off street parking provision meeting maximum standard and no further driveway alterations being proposed, the property size increase would not result in significant impact to the safety and operation of adjacent highway.

#### Community Infrastructure Levy

9.15 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.

### **10. Conclusions**

10.1 The proposed porch canopy and loft conversion by way of roof extension, associate dormer window and roof lights through size, position and design would not adversely impact upon the visual amenity of the existing dwellinghouse, immediate street scene or the residential amenity of neighbouring residents. The proposal is therefore in accordance with Saved Appendices 3, 5 and 7 Policies 57 and 58 of the Dacorum Local Plan (2004), Policies CS6, CS8, CS11 and CS12 of the Core Strategy (2013) and the NPPF (2012).

### **11. RECOMMENDATION**

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

#### Conditions

No	Condition
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

	<p>following approved plans/documents:</p> <p>227 pa2.05 Rev B  227 pa2.04 Rev A  227 pa2.03 Rev A  Submitted Application Form</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>
3	<p>The dormer window at first floor level in the side east elevation of the extension hereby permitted shall be permanently fitted with obscured glass.</p> <p>Reason: In the interests of the residential amenities of the occupants of the adjacent dwellings; in accordance with Policy CS12 of the Core Strategy (2013) and Saved Appendix 3 of the Local Plan (2004).</p> <p>Hours of work Informative</p> <p>In accordance with the councils adopted criteria, all noisy works associated with site demolition, site preparation and construction works shall be limited to the following hours: 0730hrs to 1830hrs on Monday to Saturdays, no works are permitted at any time on Sundays or bank holidays.</p> <p>Highway Informative</p> <p>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 <a href="https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx">https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx</a> or by telephoning 0300 1234047.</p> <p>Article 35 Statement</p> <p>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.</p>

## Appendix A

### Comments received from consultees:

#### Environmental Health

Thanks for contacting the Pollution and Environmental Protection Team in respect of the above planning application 4/00415/18/FHA for roof extension and window alterations and we will like

to advise that **we have no objection to the proposed application but the applicant is advise of the planning informative below.**

### **Construction Hours of Working – (Plant & Machinery) Informative**

In accordance with the councils adopted criteria, all noisy works associated with site demolition, site preparation and construction works shall be limited to the following hours: 0730hrs to 1830hrs on Monday to Saturdays, no works are permitted at any time on Sundays or bank holidays.

Nettleden with Potten End Parish Council

### **Objection**

Under policy CS12 of the councils core strategy 2013 it states that a development must be sensitive to neighbouring properties on various counts.

Both neighbouring properties would suffer a large visual intrusion, loss of light and a sense of enclosure with the applicants house being so near to the boundary line. This would result in a loss of privacy.

There would also be issues with parking in Chestnut Close.

Address	Comments
7 Kiln Close, Potten End	Reference above application for extension. This property has a side entrance which adjoins my garden. From the plans the extension should not affect me except the increase in size of the building on a small plot .However I am concerned that the narrow side entrance could be a problem while the build takes place. What is the position on this as the overall effect of such a large extension would not become clear until later.
6 Chestnut Close	<p>We are writing in relation to the proposed development to construct a roof extension and window alterations at 7 Chestnut Close, Potten End HP4 2QL (the Application Site).</p> <p>We are the owners and occupiers of 6 Chestnut Close (the Property), which is immediately adjacent to the Application Site.</p> <p>The Property would be directly and adversely affected by the development proposed at the Application Site, in the event the Council is minded to grant planning permission and the proposed development goes ahead.</p> <p>This letter therefore contains reasons why in our view, the Application should be refused.</p> <p>We do not object, in principle, to the redevelopment of 7 Chestnut Close - note that we did not object to the development of 7 Chestnut Close when changes were carried out in 2008. Our objections relate to this particular development proposal, given the proximity of the Application Site to our house and garden, and to the unacceptable elements of the proposed development which will have a materially detrimental impact upon our residential amenity and the amenity of our garden, as set out below.</p> <p>Our detailed objections are as follows:</p> <p><u>1. Impact on amenity of the Property</u></p> <p>The Application Site is directly adjacent to our Property and is separated by only approximately 11 metres from our house. This is a small separation distance, especially given the particular layout of the two properties (i.e. the Application Site and our Property).</p> <p>The size, bulk and proximity of the proposed roof extension, in particular the large dormer structure proposed on the first floor of the east elevation (labelled 1 on the enclosed application plan), would be overbearing, dominating and intrusive to our Property and garden.</p> <p>The Application Site is clearly constrained by virtue of its location being so close to the Property. Any design work should accommodate and be sensitive to the site's location. Instead, the Application as currently drawn seems to disregard the site's constraints and location and we are unclear why. For example, the planning harm is not justified or outweighed by need: the proposed dormer window (1) is located in an ensuite bathroom. The same function (ensuite bathroom) could be accommodated if the dormer window were replaced with a velux window. This change would materially reduce the adverse impact on our Property and is therefore preferable in planning terms and overall, in our view, would deliver a more sensitively designed scheme in keeping with the street scene.</p> <p>Therefore the application does not comply with Policy CS12 of the Council's Core Strategy 2013 which requires that new development should (point c) avoid visual intrusion, (point f) integrate with streetscape character and (point g) respect adjoining properties in terms of 'layout', 'scale', 'bulk' and 'amenity space'.</p> <p><u>2. Increased sense of enclosure</u></p>

The separation distance between the Application Site and our house is approximately 11 metres. This is a small separation distance, especially given the particular layout of the two properties (i.e. the Application Site and our Property). Consequently, the proposed development (in particular the bulk of the dormer window labelled 1 on the enclosed application drawing and the increase in ridge height) will result in a significant and harmful sense of enclosure to our Property. The use of the living-space inside and outside the Property would be affected, particularly the living room, the dining room and the garden area to the south and the west of the Property.

Therefore the application is contrary to Policy CS12 of the Council's Core Strategy 2013 which requires that new development should (point c) avoid visual intrusion and (point g) respect adjoining properties in terms of 'layout', 'scale', 'bulk' and 'amenity space'.

### 3. Loss of privacy

The proposed development will result in a loss of privacy for the Property. Overlooking from the first floor of the proposed development through large patio doors at the ground floor of the Property into habitable space (living room and dining room) and in to the garden of the Property is a real concern.

Therefore the application does not comply with Policy CS12 of the Council's Core Strategy 2013 which requires that new development should (point c) avoid loss of privacy.

Again the principal source of this problem is the large dormer window on the east elevation (labelled 1 on the enclosed application drawing), although the two smaller dormer windows also on the east elevation (labelled 2 and 3 on the enclosed application drawing) will also have an adverse impact in privacy terms (given that they are located within proposed bedrooms). We would therefore argue that planning permission cannot be granted for the proposed development as currently presented.

### 4. Design

The design and scale of the proposed development cannot be comfortably accommodated on the Application Site. The proposal represents a significant over development of the Application Site and, consequently, it undermines surrounding residential design. There are, in our view, too many dormer windows on a relatively small elevation (east) creating a cramped and overdeveloped appearance. The proposal to render in white the dormer windows and the large chimney flue to the east elevation (which is a large structure in relation to the rest of the building) is, in our view, inappropriate and again would increase the adverse visual impact of the building on the Property and in particular the bulky appearance of the design.

Therefore the application does not comply with Policy CS12 of the Council's Core Strategy 2013 which requires that new development should (point g) respect adjoining properties in terms of 'layout', 'scale' and 'bulk' and 'amenity space', and (point f) integrate with the streetscape character.

Furthermore, the Application does not include sufficient information or certainty in relation to the external treatment of the proposed development. The pallet of materials proposed to the elevations is clearly an essential component of a detailed planning application, particularly given the sensitive location of the proposed development. However the application form provides little certainty in this regard. Will the bi-fold doors be white or grey? Will the roof be concrete or slate effect tiles i.e. will the tiles match existing? This suggests, in our view, that the design proposal has not been thought through in sufficient detail, notwithstanding the Application Site is the gateway property to Chestnut Close and the obvious and significant impact that any extension of the Applicant's property will have on ours.

Also it is not clear from the proposed drawing (enclosed) or the application form whether the windows are obscured glazed and whether or not they open. This information is essential in order to properly assess the impact of the design of the proposed development in relation to our Property.

Therefore, in light of Policy CS12 of the Council's Core Strategy 2013 which requires that new development should (point g) respect adjoining properties in terms of 'materials', we respectfully request, if the Council is not minded to refuse the planning application, that the Applicant should be required to provide further information in relation to the external treatment and examples of material prior to determining the application.

#### 5. Car Parking

We note that the proposed development includes demolition of the existing garage. This would mean that the Application Site could only accommodate one car, meaning that any additional cars (and we are aware of a current total of two cars) would need to park on Chestnut Close. This would put further pressure on what is a narrow and small private road with an already hazardous blind bend and we are concerned that there is simply not the capacity within Chestnut Close to accommodate permanent on-street parking without materially compromising the amenity and safety of other residents and visitors.

We raise these concerns in relation to Policy CS12 of the Council's Core Strategy 2013 which requires that new development should (point a) provide a safe and satisfactory means of access for all users and (point b) provide sufficient parking and sufficient space for servicing.

#### 6. Impact on daylight/sunlight

It is our understanding that no daylight/sunlight or overshadowing report was submitted with the Application. In our view the proposed development could have a significant adverse effect to our Property (inside and in the garden) in daylight/sunlight and overshadowing.

Therefore, if the Council is not minded to refuse the application, we respectfully suggest that they should not determine this application without sight of a proper and accurate BRE compliant daylight and sunlight report that also includes overshadowing, prepared by the Applicant.

We raise this in relation to Policy CS12 of the Council's Core Strategy 2013 which requires that new development should (point c) avoid loss of sunlight and daylight.

#### 7. Conclusion and planning conditions

As set out above, the development proposed in the Planning Application is in breach of Policy CS12 of the Council's Core Strategy 2013 on a number of fundamental points, and in particular will have a severe impact on the amenity of the Property in terms of an increased sense of enclosure, design and privacy.

We therefore respectfully request that planning permission should be refused.

In the event that, despite the above representations, the Council is minded to grant planning permission, the Council is respectfully requested to attach the following conditions to the grant of planning permission to regulate the development and mitigate its impact:

1. The fenestration at first floor level on the East Elevation should all be obscured glass and compliant with relevant building regulations
2. Hours of work – no construction work to be carried out at weekends or between the hours of 4.30

pm and 8.30 am

### Amended Comments

We are the owners and occupiers of 6 Chestnut Close (the Property), which is immediately adjacent to the Application Site.

We previously submitted an objection to the Application on 09/03/18.

Subsequently, the applicant submitted amended drawings to the Council on 11/04/18 and it is in response to these drawings and the revised proposal that we are writing to you now.

While the proposed amendments address some of our concerns, fundamental issues remain.

The development proposal, as amended, would still have an unacceptable impact on our residential amenity, as set out in detail below.

We note that since the applicant submitted the amended drawings, objections to the scheme have also been submitted by the Parish Council of Potten End and Nettleden on 27/04/18 and by the new owner/occupier of 6 Kiln Close, Potten End on 17/04/18, both on the grounds that the development proposal would have a materially detrimental impact on the residential amenity of adjoining properties. The Parish Council also highlight the fact that the proposal is contrary to material aspects of Policy CS12 of the Council's Core Strategy 2013.

We would therefore respectfully request that the scheme, as currently drawn, is refused and, if the principle of an extension is pursued, that the applicant should be required to prepare a scheme that is more sensitive to and considerate of the impact on the residential amenity of adjoining properties. The scheme must comply with all relevant planning policies and, at the moment, it does not.

Before we set out our objections in detail, it is relevant to note please that it seems to us that the Site Location Plan submitted by the applicant may be inaccurate. It appears that it doesn't take into account the 2008 ground floor extension to No 7 Chestnut Close (we refer to historic planning application Ref 4/02008/08/FHA single storey rear extension, front porch and alterations). We respectfully request that all those consulted or involved in the determination of this Application, who might have had regard to this plan, be made aware of this potential discrepancy as we believe this Site Location Plan may not be an accurate representation of the proximity of neighbouring properties.

Our detailed objections are as follows:

### 3. Impact on amenity of the Property

The Application Site is directly adjacent to our Property and is separated by only approximately 11 metres from our house. This is a small separation distance, especially given the particular layout of the two properties, as you observed during your site visit of 12/03/18.

We note that some attempt has been made in the amended drawings to reduce this impact at first floor level (east elevation), specifically the replacement of the two single dormer windows with velux windows. However the main issue for us remains: the proposed dormer structure on the east elevation which dominates the east elevation is overbearing and intrusive to our Property. The proposed use of zinc on this dormer structure would not, in our view, mitigate the impact - in fact the use of a shiny, metallic material might emphasise rather than reduce impact.

Therefore the application does not comply with Policy CS12 of the Council's Core Strategy 2013 which requires that new development should (point c) avoid visual intrusion, (point f) integrate with streetscape character (point g) respect adjoining properties in terms of "layout", "scale", "bulk" and "amenity space".

In our view, the planning harm is not justified or outweighed by need: the proposed dormer window is located in an ensuite bathroom. The same function (ensuite bathroom) could be accommodated if the dormer window were replaced with a velux window (as is the case in our own house). This change would materially reduce the adverse impact on our Property and is therefore preferable in planning terms and overall, in our view, would deliver a more sensitively designed scheme in keeping with the street scene.

Given that the applicant was prepared to replace the two single dormer windows with velux windows on the east elevation, it seems unreasonable not to replace the larger dormer window with a velux window, given that this large dormer would have a much greater impact in visual and amenity terms on our adjoining property and is therefore clearly contrary to Policy CS12. In our view this change could be accommodated within the design without a material impact on function inside the house. We are therefore surprised and disappointed that this change has not been proposed in the amended drawings.

#### 4. Increased sense of enclosure

The proposed development (in particular the bulk of the dormer window on the east elevation and the increase in ridge height) will result in a significant and harmful sense of enclosure to our Property. The use of the living-space inside and outside the Property would be affected, particularly the living room and the garden area to the south of the Property. Again, this is in large part because of the close proximity of the Application Site to our Property.

Therefore the application is contrary to Policy CS12 of the Council's Core Strategy 2013 which requires that new development should (point c) avoid visual intrusion and (point g) respect adjoining properties in terms of "layout", "scale", "bulk" and "amenity space".

#### 5. Design

The design and scale of the proposed development cannot be comfortably accommodated on the Application Site.

While we acknowledge that the amended drawings demonstrate that some further thought has been given to design, the proposal overall still represents a significant over development of the Application Site.

The dormer window at first floor level is, in particular, overbearing and bulky and does not take account of or respect its relationship to or impact on our Property or other adjoining properties. We have taken time to carefully consider the change of materials on the dormer from white to zinc cladding but have concluded that this will not mitigate the impact on us for the reasons set out above.

Therefore the application does not comply with Policy CS12 of the Council's Core Strategy 2013 which requires that new development should (point g) respect adjoining properties in terms of "layout", "scale" and "bulk" and amenity space and (point f) integrate with the streetscape character.

#### 6. Car Parking

We note that the proposed development includes demolition of the existing garage. This would mean that the Application Site could only accommodate one car meaning that any additional cars (and we are aware of a current total of two cars) would need to park on Chestnut Close. This would put further pressure on what is a narrow and small private road with an already hazardous blind bend and we are concerned that there is simply not the capacity within Chestnut Close to accommodate permanent on-street parking without materially compromising the amenity and potentially safety of other residents and visitors.

We raise these concerns in relation to Policy CS12 of the Council's Core Strategy 2013 which requires that new development should (point a) provide a safe and satisfactory means of access for all users and (point b) provide sufficient parking and sufficient space for servicing.

Please note that this policy does not only apply to adopted public highway, but also applies to private roads, such as Chestnut Close, over which people have a right of access. It is therefore a material consideration for the purposes of the determination of the Application.

We have also contacted Hertfordshire County Council as highway authority to express our concerns in this regard. In the event that planning permission were granted for this development and the principle of on-street parking were established (because the Application Site is too small to accommodate the household's vehicles), it would establish an unhelpful precedent because Chestnut Close simply cannot safely accommodate any more parked cars. This could also have implications for the adjoining public highway and capacity there.

7. Impact on daylight/sunlight

It is our understanding that no daylight/sunlight or overshadowing report has been submitted with the Application, despite the request we made in our first objection letter. We maintain our position that the proposed development could have a significant adverse effect to our Property (inside and in the garden) in relation to daylight/sunlight levels and overshadowing.

Therefore, if the Council is not minded to refuse the application, we respectfully suggest that they should not determine this application without sight of a proper and accurate BRE compliant daylight and sunlight report that also includes overshadowing, prepared by the Applicant.

We raise this in relation to Policy CS12 of the Council's Core Strategy 2013 which requires that new development should (point c) avoid loss of sunlight and daylight.

8. Conclusion and planning condition

As set out above, the development proposed in the Planning Applications is in breach of Policy CS12 of the Council's Core Strategy 2013 in several fundamental respects. The amended drawings still do not go far enough to mitigate impact of this very intrusive design on our Property and others in the surrounding area.

We therefore respectfully request that planning permission should be refused.

In the event that, despite the above representations and those of 6 Kiln Close and the Parish Council, the Council is minded to grant planning permission, the Council is respectfully requested to attach the following condition to the grant of planning permission to regulate the development and mitigate its impact:

1. Hours of work – no construction work to be carried out at weekends or between the hours of 4.30 pm and 8.30 am

~~We have written separately to the Council's Environmental Health department to request this same condition. We await their response.~~

5 Kiln Close	<p>We moved to number 5 Kiln Close in Potten End and have just become aware of the above planning application which would have been submitted to you after our searches were carried out. We are very concerned that two proposed dormer windows on the east elevation at the north end of the property will overlook our garden and conservatory. We would not object to these windows if they were either in obscure glass or velux, but clear glass dormer windows will cause us a loss of privacy.</p>
6 Kiln Close	<p>I have just purchased my maisonette which is on the boundary of 2 sides of the bungalow applying for a roof extension which is at very close proximity as it has already had a large extension taking it very close to the boundary fence of my property (a couple yards). I oppose to this roof extension due to the extreme extra height which will block light from the rear of my property and both my back and side gardens. All I will see from my kitchen and my bedroom is a continuous huge roof of tiles up to the sky.</p> <p>The plans also show a skylight which will overlook my property and side garden. The property is elevated higher than mine as they have been built on a hill which makes putting a roof at such height and so close behind my maisonette unacceptable.</p> <p><u>Amended Comments</u></p> <p><b>Objection</b> (as summarised) Daylight and Sunlight Assessment referred to old 1991 Guidance which has since been superseded by a 2011 Edition.</p> <p>Loss of light into bedroom, bathroom and rear garden will have a huge impact and is unacceptable.</p> <p>Any additional windows or roof lights along my boundary will overlook both my property and garden and will take away any privacy and will be intrusive and overbearing.</p> <p>If the roof light showing on the rear North Elevation does receive approval it would have to be fixed shut.</p>
Agent's Response to Objections	<p>I have spoken to T16 Design who have assured me that the Daylight Sunlight assessment has been based on the current 2011 edition of the BRE guidance. I have been through the report myself and can find no reference to 1991 so we are unclear of how they have reached this conclusion.</p> <p>With regards the revised objection from No.6 Chestnut Close we would note that this is not really a list of new objections but more a re-statement of what they have said before. This is disappointing considering that we have worked closely with the Planning Officer to try to address all of their concerns.</p> <p>We have been required to omit the bedroom dormer windows on the grounds of overlooking and we have had to compromise on floor area and views of the applicants own garden by replacing these with rooflights.</p>

We have been required to change the materials of the bathroom dormer to a zinc finish which is a grey colour and more sympathetic to blend in with the proposed slate effect roof tiles. In addition the bathroom window will be obscured glass with no opening above 1.7m so does not create an overlooking issue.

We have compromised again by proposing that the chimney is re-built in a brick or stone when the applicant originally wanted the chimney to be rendered.

In summary, we feel that the applicant has made a lot of compromises to satisfy the adjoining owner and we feel that we have worked closely with the Planning Officer to find an acceptable solution to all of the issues.

6 Kiln Close sits on lower land than the applicants and this serves to make the issues of light and privacy more important.

The dormer window that would overlook 6 Chestnut Close is very intrusive and it would be better if the permission is granted that this window was a skylight instead.

### **Consultation responses**

[Delete any salutation, disclaimer or other additions that are not part of analysis and advice. Do not include conditions – where necessary and appropriate to be added at end of report]

### **Appendix B**

#### **Neighbour notification/site notice responses**

#### **Objections**