

<b>4/00337/18/FHA</b>	<b>ONE AND TWO STOREY REAR EXTENSIONS, GARAGE CONVERSION, SINGLE STOREY FRONT EXTENSION, LOFT CONVERSION, FRONT ROOF LIGHT AND DECKING</b>
<b>Site Address</b>	<b>1 ELLESMERE ROAD, BERKHAMSTED, HP4 2EX</b>
<b>Applicant</b>	<b>MR R FACER, 1 ELLESMERE ROAD</b>
<b>Case Officer</b>	<b>Sally Robbins</b>
<b>Referral to Committee</b>	<b>Contrary views of Berkhamsted Town Council</b>

## 1. Recommendation

1.1 That planning permission is delegated with a view to **APPROVAL** subject to conditions and expiry of the consultation period.

## 2. Summary

2.1 The proposed development is acceptable in principle, noting the site's location within a designated residential area within Berkhamsted. The proposed alterations and extensions to the dwelling would not have a significant detrimental impact upon the character and appearance of the existing dwelling or the surrounding area. The design of the proposed scheme has undergone various amendments in consultation with the Council's Conservation Officer. The sympathetic design, form and scale of the proposed development would conserve the Berkhamsted Conservation Area and would be acceptable within the street scene. The development will not have an adverse impact on the residential amenity of surrounding neighbouring properties. The loss of the garage due to its proposed conversion into living accommodation is considered to be acceptable due to the site's town centre location and the fact that this element of the proposal could be carried out under Permitted Development.

2.2 The proposal would therefore comply with Policies CS4, CS8, CS11, CS12 and CS27 of the Dacorum Core Strategy (2013) and Saved Policy 120 and Appendix 3, 5 & 7 of the Dacorum Borough Local Plan (2004).

## 3. Site Description

3.1 The application site is located on the southwest side of Ellesmere Road in Berkhamsted. The site comprises a two storey semi-detached Victorian dwelling that has undergone a previous two storey side extension (ref. 4/0704/87). Ellesmere Road lies parallel to the railway tracks with residential development occupying the southwest side of the street only. The surrounding area is characterised by predominantly by Victorian terraces, with some more modern infill development, such as nos. 3 and 4.

## 4. Proposal

4.1 The application seeks full planning permission for rear infill extensions at ground floor and first floor level, garage conversion, single storey front extension, loft conversion, front roof light and decking at the rear of the property.

## 5. Relevant Planning History

4/0704/87	TWO STOREY SIDE & SINGLE STOREY REAR EXTENSION Granted 06/07/1987
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## 6. Policies

## 6.1 National Policy Guidance

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

## 6.2 Adopted Core Strategy

CS4, CS8, CS11, CS12 and CS27

## 6.3 Saved Policies of the Dacorum Borough Local Plan

Policy 120, Appendix 3, 5 & 7

## 6.4 Supplementary Planning Guidance / Documents

- Area Based Policies (May 2004) - Residential Character Area BCA 3:Bank Mill
- Accessibility Zones for the Application of car Parking Standards (July 2002)

## 6.5 Advice Notes and Appraisals

- Conservation Area Character Appraisal for Berkhamsted

## 7. **Constraints**

- Former Land Use
- RAILWAY (100M BUFFER)
- CONSERVATION AREA

## 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 Existing Building & Conservation Area
- Impact on Residential Amenity
- Impact on Parking
- Other

### Policy and Principle

9.2 The site is situated in a residential area of Berkhamsted, whereby appropriate residential development is encouraged in accordance with Core Strategy Policy CS4. The application site is located within character area of BCA3 (Bank Mill) where extensions should normally be

subordinate in terms of scale and size to the parent dwelling. The application site also falls within Berkhamsted Conservation Area where development is expected to positively preserve and enhance the established character and appearance of the conservation area in accordance with Core Strategy Policy CS27, Saved Policy 120 of the Local Plan and Section 12 of the NPPF.

9.3 The main issues of relevance to the consideration of this application relate to the impact of the proposed extension on the character and appearance of the existing building, Conservation Area and residential amenity of surrounding units.

#### Impact on Existing Building & Conservation Area

9.4 The parent dwelling is a mid-19th century semi-detached property constructed of dark yellow brick with a gabled slate roof. It has a modern two storey side extension, set back from the front elevation. The property has a monopitch two storey rear wing which extends across half the width of the rear elevation and a modest single storey extension.

9.5 The ground floor rear infill extension would measure 2.5m deep, 3.9m wide and would comprise a flat roof. The first floor rear extension would measure 2.3m deep, 3.9m wide and would comprise a hipped roof containing two roof lights and would be set down from the roof of the parent dwelling. The proposed front extension would be a modest single storey addition, measuring 1.2m deep, 3m wide and would comprise a lean to roof. The proposed extensions would be relatively modest in scale and would be subordinate additions to the parent dwelling.

9.6 Internally the existing garage would be converted into habitable accommodation and living space would also be created in the existing and newly created loft space. One roof light is proposed for the front elevation of the dwelling. The proposed extensions would be finished in materials to match the parent dwelling, including facing brickwork, slate roof tiles and timber framed windows. The roof lights would be low-profile conservation style. The existing garage door would be replaced by a timber and glass-panelled imitation garage door.

9.7 Following discussions with the Council's Conservation Officer, the scheme has undergone a number of amendments, including omitting the full-width rear dormer window, changing the flat roof of the first floor extension to a hipped roof and reducing the size of the roof light on the front elevation. The eaves of the front extension have also been set back slightly so that the eaves are level with the principal elevation of the original dwelling. The Conservation Officer did suggest that a bay window is inserted instead of the front extension, however it is not considered that this would be an improvement to the proposed front extension with lean to roof. As such, it is not considered that the proposal could be refused on the basis of the front extension.

9.8 The surrounding area is characterised by residential development along the southwest side of Ellesmere Road, comprising predominantly Victorian terraces. Several properties within the immediate vicinity have undergone extensions, for example 12 Gravel Path (a Locally Listed Building) has a two storey rear extension with a hipped roof, similar to the proposed. The adjoining property, 2 Ellesmere Road, has a single storey rear extension with overhanging canopy as well as full width rear dormer window. To the rear of the application site several properties have undergone two storey flat roofed extensions, including 3 George Street, which is also a Locally Listed Building.

9.9 The proposed front extension would be visible within the street scene, however, it is considered that the modest scale and sympathetic design of this element of the proposal will not have a detrimental impact upon the character and appearance of the parent dwelling, immediate street scene or Conservation Area. The proposed timber and glass panelled imitation garage door would be a welcome replacement of the existing metal garage door.

9.10 There would be limited visibility of the rear extensions from within the public realm, although these elements would be visible from the rear gardens of the properties along Gravel Path and

George Street. Taking into account existing extensions on neighbouring properties, added to the amendments endorsed by the Council's Conservation Officer, it is considered that the proposed development will not have a detrimental impact upon the character and appearance of surrounding properties. The proposal is sympathetically designed and would be finished in materials to match the host property. It is therefore considered that the proposed development will harmonise with its surroundings and will conserve the character and appearance of the Conservation Area. The proposal complies with Policies CS11, CS12 and CS27 of the Core Strategy and the NPPF in that regard.

#### Impact on Residential Amenity

9.11 The nearest residential dwelling in relation to the application site is 12 Gravel Path, which is situated perpendicular to the application dwelling with its rear elevation facing the side elevation of 1 Ellesmere Road. The side elevation of the proposed first floor rear extension would be situated approximately 11m from the rear elevation of 12 Gravel Path. However, due to the slightly oblique angle and the position of the existing two storey side extension to the host property, it is not considered that there would be any significant loss of light or visual intrusion. No windows are proposed on the side elevation and as such there will be no loss of privacy.

9.12 The rear elevation of the first floor extension would be situated approximately 26m from the rear elevation of nos. 1 and 3 George Street. This meets the minimum separation distance set out in Saved Appendix 3 of the Local Plan. It is therefore considered that there will be no significant loss of light, overlooking or loss of privacy in relation to the dwellings to the rear.

#### Parking Provision

9.13 Berkhamsted Town Council has raised an objection regarding inadequate parking provision for the size of the property. The dwelling currently has one parking space in the garage, although the applicant has indicated that the garage is not currently used for parking a vehicle. As a result of the proposed garage conversion the property would have no off-street parking.

9.14 The property currently has three bedrooms and would have four bedrooms as a result of the proposed garage conversion. The maximum parking standards set out in Saved Appendix 5 of the Local Plan for a three-bedroom dwelling is 2.25 spaces and for a four-bedroom dwelling is 3 spaces. However, as the garage conversion on its own could be carried out under Permitted Development Rights, and added to the application site's town centre location with good access to public transport and close to the train station, it is not considered that the proposal could be refused on the grounds of lack of parking. The NPPF para 33 states "Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe." It is considered in this case that such an argument could not be sustained.

#### Other Matters

9.15 Berkhamsted Town Council have raised an objection to the proposal on the grounds that the proposal would result in overdevelopment and would be out of keeping with the street scene. With respect to the rear dormer, the Town Council felt that it would be bulky, covering much of the roof slope, and the proposals in general would be highly visible and detrimental to the appearance of the house and the surrounding area. Concerns were raised regarding inadequate parking provision for the size of the property, which have been addressed above under 'Parking Provision'.

9.16 It is considered that the amendments have addressed the concerns of the Town Council with regards to the design and the impact upon the character and appearance of the parent dwelling and surrounding area, specifically the removal of the dormer window.

9.17 In terms of overdevelopment, the proposal would result in a dwelling with four bedrooms, however as highlighted above the garage could be converted into a bedroom under Permitted Development. Furthermore, whilst it is acknowledged that the original dwelling is modest in scale, there are satisfactory separation distances towards the rear in order to avoid visual or being overbearing. It is therefore not considered reasonable that the application is refused on the grounds of overdevelopment.

#### Response to Neighbour comments

9.18 An objection was received from 9 Gravel Path relating to the design of the proposed development, and that the flat roofed two storey extension and large rear dormer would be incongruous. It is considered that the amendments have addressed these concerns and the proposal is now considered to be acceptable.

#### CIL

9.19 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 it resulting in less than 100sqm of additional floor space.

### **10. Conclusions**

10.1 The proposed development through design, scale and material finishes will not adversely impact upon the visual amenity of the existing dwelling house, immediate street scene, Conservation Area or the residential amenity of neighbouring occupants. The proposal is therefore in accordance with Saved Appendixes 3 and 7 of the Dacorum Local Plan (2004), Policies CS11, CS12 and CS27 of the Core Strategy (2013) and the NPPF (2012).

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

#### Conditions

No	Condition
1	<p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>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.</p>
2	<p>No development shall take place, other than groundworks and demolition, until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.</p> <p>Reason: In the interests of the visual amenities of the Conservation Area, in accordance with Core Strategy (2013) Policy CS27.</p>
3	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>002 Revision C</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning, in accordance with Core Strategy (2013) Policy CS12.</p>

	<p>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.</p>
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## **Appendix A**

### **Consultation responses**

#### **Berkhamsted Town Council:**

Objection.

These proposals, for a dwelling in the Conservation Area, represent an overdevelopment of the site which is out of keeping with the street scene. The rear dormer would be bulky, covering much of the roof slope, and the proposals in general would be highly visible and detrimental to the appearance of the house and the surrounding area. There would also be inadequate parking provision for the size of the property.

CS11; CS12; CS27; P120.

#### **Network Rail:**

Network Rail has reviewed the documentation submitted by the applicant and this proposal will not impact the railway infrastructure.

#### **Conservation & Design:**

1 Ellesmere Road is a mid 19th century semi-detached property constructed of dark yellow brick with a gabled slate roof. It has a modern 2-storey side extension, set back from the front elevation. The property has a monopitch 2-storey rear wing which extends across half the width of the rear elevation (as is traditional of these 19th century terraced properties) and a modest single storey extension.

The application proposes a number of alterations; these are discussed in turn below:

Front extension to garage. The front extension to the 2-storey side wing would feature a monopitch roof - this type of front extension is out of character with the 19th century terraces along Ellesmere Road. The garage should be converted to a bedroom without any form of front extension and a window inserted to the front elevation.

Rear dormer:

A modest, well designed dormer would be acceptable however the proposed dormer covers almost the entire rear roof slope of the property; it is not set down from ridge and extends right

down to the eaves. It is barely set in from the edges of the roof. The result would be an overly bulky, large dormer which dominates the roof and means the original roof form is entirely lost.

A recent appeal (29th January 2018) at 12 Kitsbury Road for a rear box dormer was dismissed. The refused box dormer was smaller in scale than that proposed in this application however the inspector found the dormer: 'would, by reason of its bulk and scale, significantly alter the shape of the dwelling's original roof form, appear cramped and dominate its rear elevation.' The inspectors appeal decision also refers to conservation area designation being relevant to both front and rear elevations.

The rear dormer should be set away from the roof edges by a far greater amount, set well away from the eaves and set down from the ridge.

Such a large velux to the front elevation does not seem necessary, a small conservation roof light is recommended.

Two storey full width flat roof extension:

The existing rear wing is of an appropriate design and scale for the Victorian terraced property. The proposed flat roofed full width rear extension results in loss of the original design of the property, its rear elevation is fully concealed - the result 'terracing' of flat roof dormer / first floor flat roof extension and ground floor flat roof extension is entirely out of character with the local 19th century built form. It is recommended any extension at first floor is omitted from any revised proposals.

Ground floor extension:

A ground floor full width extension would be supported; numerous properties within the Conservation Area have been extended in this way. The ground floor extension could also infill the side yard (and wrap around the retained first floor rear wing).

Conservation Areas are defined as: "Areas of special architectural or historic interest, the character of which it is desirable to preserve or enhance."

Policy CS27 Quality of the Historic Environment - All development will favour the conservation of heritage assets. Development will positively conserve and enhance the appearance and character of conservation areas.

The design, scale and bulk of the proposed dormer, the two storey full width flat roofed extension and single storey front projection will all fail to preserve the special interest of the Berkhamsted Conservation Area and is contrary to Policy CS27, Local Plan policy 120 and paragraph 131 of the NPPF, recommend refusal.

Further comments received:

Justification for a full width rear extension will need to be put forward. The eaves height of the 2-storey rear extension appears to be raised above the existing eaves height, suggest the eaves are in line with the existing eaves or, preferably, are set down.

The front extension is at odds with the canopy roofs locally and smaller projecting bays, why not insert a bay window instead with a canopy? Building out the garage closer to the road / pavement will only make it more visually intrusive and not provide any enhancement to the street scene.

BERKHAMSTED TOWN COUNCIL	Objection
Objection.  These proposals, for a dwelling in the Conservation Area, represent an overdevelopment of the site which is out of keeping with the street scene. The rear dormer would be bulky, covering much of the roof slope, and the proposals in general would be highly visible and	

detrimental to the appearance of the house and the surrounding area. There would also be inadequate parking provision for the size of the property.

CS11; CS12; CS27; P120.

## Appendix B

### Neighbour notification/site notice responses

#### Objections

Address	Comments
9 Gravel Path	<p>Despite being given no prior notice of this proposed extension, we have no objections to the principle of our neighbours extending their property. However, the building is in the Berkhamsted Conservation Area and we do not consider the design or aesthetics of the proposed extensions have due regard to the character of the area.</p> <p>Saved Appendix 7 of the 2004 Dacorum Local Plan sets out design guidance for small scale house extensions, and as the site is in the conservation area we think any development should comply with Appendix 7 as a minimum. However, we do not think the proposal does.</p> <p>In respect of Part (i) Existing House, the extension includes numerous flat roofs which do not match the existing house, or the character of the majority of neighbouring properties. In terms of Part (ii) Surrounding Area, the flat roofed two storey rear extension would not reflect the design or appearance of the original neighbouring properties in the vicinity. The large flat roofed dormer window would fill the whole roofslope and would be the only dormer window of this scale in this row (we note the neighbouring house has a first floor rear dormer window, however this retains some roofslope above and below, and so does not detract from the appearance of the house as a two storey building).</p> <p>In respect of Part (vi) Dormer Windows, the proposed dormer would not comply with point (b) and would be excessive in size, appearing bulky from neighbouring houses and not reflecting the character of the surrounding conservation area properties.</p> <p>Core Strategy Policies CS11 and CS12 seek to ensure that developments preserve attractive street scapes, protect views within areas, integrate with streetscape character and respect adjoining properties. For the reasons outlined above, we do not consider that the proposal in design terms would comply with these policies</p> <p>Core Strategy Policy CS27 requires development to favour the conservation of heritage assets. The proposed extensions would be visible from Ellesmere Road, George Street and neighbouring properties, all within the conservation area. We consider the development will not positively conserve and</p>



	<p>enhance the appearance and character of the conservation area, but will appear too large and incongruous.</p> <p>We hope you will take the above into account when making your decision.</p>
<p>3 GEORGE STREET, BERKHAMSTED,, HP4 2EG</p>	<p>The development will bring the house back towards our property and will overlook our garden, bathroom and bedroom even more. This will negate our privacy.</p> <p>Houses on Ellesmere Road are in an elevated position, above those on George Street / Gravel Path. So the overlooking from the development is major and negates our privacy and the privacy of properties 3 to 11 Gravel Path</p> <p>The proposed second extension at roof height is not in keeping with the conservation area. This would set a precedent for everybody else. If permission is granted on this application then all properties would be able to develop at this second storey height and all property's gardens and houses would be overlooked.</p> <p>The development could be seen from George Street and is not in keeping with the area.</p> <p>There are concerns the development exceeds planning limits for the square footage of the property against the total footprint of the plot which decking adds too. The loss of a garage will increase parking congestion</p>
<p>BERKHAMSTED TOWN COUNCIL, CIVIC CENTRE, 161 HIGH STREET, BERKHAMSTED, HP4 3HD</p>	<p>BTC comment</p> <p>Objection.</p> <p>These proposals, for a dwelling in the Conservation Area, represent an overdevelopment of the site which is out of keeping with the street scene. The rear dormer would be bulky, covering much of the roof slope, and the proposals in general would be highly visible and detrimental to the appearance of the house and the surrounding area. There would also be inadequate parking provision for the size of the property.</p> <p>CS11; CS12; CS27; P120.</p>

### Supporting

Address	Comments
N/A	N/A
<p>2 ELLESMERE ROAD, BERKHAMSTED,, HP4 2EX</p>	<p>I have no objection to these plans. I live next door.. I have consulted with the senior architect at Aicheson and Rafferty at my property and again a few days later with the owner Richard Facer who allowed me access to the dwelling itself.</p> <p>I have no material planning considerations, there is to be no loss of light or overshadowing or loss of privacy. Mr Facer who is in the timber reclamation business I understand, has a sensitive eye and plans to replicate the extensions and</p>

	<p>materials of my own house to a harmonious effect.. The aspect to the front of the house remains almost unchanged, the only change seemingly the removal of rather garish bright red metal garage door. The house in question is very cramped and dark.. In my view anything that can be done to improve the living arrangements ,and which consequently contribute to the health and dignity of any family who may live in it in the future. is to be applauded.</p>
2 ELLESMERE ROAD,BERKHAMSTED,,,H P4 2EX	<p>I have no objection to these plans. I live next door.. I have consulted with the senior architect at Aicheson and Rafferty at my property and again a few days later with the owner Richard Facer who allowed me access to the dwelling.itself. I have no material planning considerations, there is to be no loss of light or overshadowing or loss of privacy. Mr Facer who is in the timber reclamation business I understand, has a sensitive eye and plans to replicate the extensions and materials of my own house to a harmonious effect.. The aspect to the front of the house remains almost unchanged, the only change seemingly the removal of rather garish bright red metal garage door. The house in question is very cramped and dark.. In my view anything that can be done to improve the living arrangements ,and which consequently contribute to the health and dignity of any family who may live in it in the future. is to be applauded.</p>
2 ELLESMERE ROAD,BERKHAMSTED,,,H P4 2EX	<p>Letter to Charles berry Ottawa I checked the planning site again today and my comments are still not displayed. i do thank you for promising to ferry my comments to the committee , that is very reassuring but the site is clearly not working. Or maybe It is working but I am not understanding how it works? There is clearly a box labelled public comments and under this box I read There are no comments lodged for this application.?  Why is this??</p>

### Commenting

Address	Comments
2 Ellesmere Road	<p>I have no objection to these plans. I live next door.. I have consulted with the senior architect at Aicheson and Rafferty at my property and again a few days later with the owner Richard Facer who allowed me access to the dwelling.itself.</p> <p>I have no material planning considerations, there is to be no loss of light or overshadowing or loss of privacy. Mr Facer who is in the timber reclamation business I understand, has a sensitive eye and plans to replicate the extensions and materials of my own house to a harmonious effect..</p> <p>The aspect to the front of the house remains almost unchanged, the only change seemingly the removal of rather garish bright red metal garage door.</p> <p>The house in question is very cramped and dark.. In my view</p>

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