

<b>4/02980/18/FHA</b>	<b>NEW REAR DORMER AND ALTERATIONS TO TERRACE</b>
<b>Site Address</b>	<b>7 GAVESTON DRIVE, BERKHAMSTED, HP4 1JF</b>
<b>Applicant</b>	<b>Mr S Dowling, 7 Gaveston Drive</b>
<b>Case Officer</b>	<b>Robert Freeman</b>
<b>Referral to Committee</b>	The application has been referred to the committee in view of the recommendation of Berkhamsted Town Council

## **1. Recommendation**

1.1 That planning permission be **GRANTED**

## **2. Summary**

2.1 The proposed dormer window is consistent in scale and design with that to the existing property and as such is not considered to result in significant harm to the character and appearance of the property in accordance with Policy CS12 of the Core Strategy and Saved Appendix 7 of the Local Plan 1991-2011

2.2 The proposed dormer window will be fitted with obscure glazing to ensure that there is no adverse impact upon the privacy of neighbouring properties in accordance with Policy CS12 of the Core Strategy and Saved Appendix 7 of the Local Plan

## **3. Site Description**

3.1 The site comprises a chalet bungalow located on the southern side of Gaveston Drive.

## **4. Proposal**

4.1 The proposals involve the provision of a rear dormer window to serve the current bedroom within the roof space of the property. The proposals also involve a reconfiguration of the existing steps and terrace at the rear of the property and providing access to a modest garden area. This would increase the overall width of the terrace but significantly decrease its depth adjacent to the kitchen.

## **5. Planning History**

Planning permission was granted in 2013 (4/00285/13/FHA) to raise the roof height of the proposed building and provide additional accommodation within the roof space and a front dormer window. This followed an unsuccessful attempt to increase the height of the property in 2010 (4/01051/10/FHA)

## **6. Policies**

### **6.1 National Policy Guidance**

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

### **6.2 Adopted Core Strategy**

NP1 - Supporting Development  
CS1 - Distribution of Development  
CS4 - The Towns and Large Villages  
CS8 - Sustainable Transport and  
CS12 - Quality of Site Design and  
CS27 - Quality of the Historic Environment

### 6.3 Saved Policies of the Dacorum Borough Local Plan

Policy 13 - Planning Conditions and Planning Obligations  
Policy 51 - Development and Transport Impacts  
Policy 118 - Important Archaeological Remains  
Appendix 5 - Parking Provision and  
Appendix 7 - Small Scale House Extensions

### 6.4 Supplementary Planning Guidance / Documents ]

- Accessibility Zones for the Application of car Parking Standards (July 2002)
- Environmental Guidelines (May 2004)

## 7. Constraints

The site is located within an Area of Archaeological significance

## 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

9.1 The main issues to consider are:

- Policy and principle
- Design
- Impact on Neighbouring properties

### Policy and Principle

9.2 The site is located within a residential area within the town of Berkhamsted. In accordance with Policies NP1, CS1 and CS4 of the Core Strategy there would be no objection in principle to extending existing dwellings.

### Design

9.3 The proposed dormer window is considered to be acceptable in terms of its design,

bulk, scale and use of materials, reflecting that in-situ at the front of the dwelling and provides a small increase in habitable floor space to the existing first floor bedroom. The dormer window reflects the design advice set out in Saved Appendix 7 of the Local Plan. The dormer window is set in from the margins of the roof space in excess of the recommended 1m and does not dominate the roof space to the property. The retaining walls to the proposed terrace would be constructed in a matching brick to the parent building and would not detract from the appearance of the property. Overall the design of the proposed works would be acceptable in accordance with Policy CS12 of the Core Strategy and Saved Appendix 7 of the Local Plan 1991-2011.

Impact on Neighbours

9.4 Amended plans have been submitted to provide obscure glazing and a high level opening to the new dormer window thus alleviating any concerns with a loss of privacy to properties in Trevelyan Way in accordance with Policy CS12 and Saved Appendix 7 of the Local Plan 1991-2011. It would also be concluded that there would be no material change in the extent of overlooking from the modified terrace area in accordance with Saved Appendix 7 of the Local Plan 1991-2011. The application site already provides oblique views to neighbouring gardens and property. This is not exacerbated by the current proposals. Indeed arguably the reconfigured terrace provides less opportunity to sit outside in an elevated position.

9.5 The applicant has made the following comment in relation to the neighbours concerns:

"7 Gaveston Drive can already see into the rear rooms and dining area of 9 Trevelyan Way and can already see into some of the upstairs rear rooms of 11 Trevelyan Way. These rooms are also visible from the pavement to Gaveston Drive and I suspect from 9 Gaveston Drive. The proposals will not exacerbate a loss of privacy to these properties".

Other Considerations

9.5 Given the nature of the proposed works, there is likely to be little disruption to ground levels around the site and as such any impact on archaeology will be negligible. In such circumstances a condition to address these matters is not considered to be appropriate and is not required to address the requirements of Policy CS27 of the Core Strategy.

9.6 There will be no change in the size of the property and as such the proposals do not raise any issues of access and highways safety.

9.7 The proposals are not considered to raise any other significant planning issues.

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

Conditions

No.	Condition
1	<b>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</b>

	<p><u>Reason:</u> 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><b>The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match in size, colour and texture those used on the existing building.</b></p> <p><u>Reason:</u> To ensure a satisfactory appearance to the development in accordance with Policy CS12 of the Core Strategy</p>
3	<p><b>The dormer window hereby approved shall be permanently fitted with obscured glass (Pilkington Privacy Level 3 or equivalent) to a height of 1.7m above finished floor level unless otherwise agreed in writing by the local planning authority.</b></p> <p><u>Reason:</u> In the interests of the residential amenities of the occupants of the adjacent dwellings in accordance with Policy CS12 of the Core Strategy and Saved Appendix 7 of the Dacorum Borough Local Plan 1991-2011.</p>
4	<p><b>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</b></p> <p><b>201 Revision B</b>  <b>202 Revision C</b>  <b>203 Revision A</b></p> <p><u>Reason:</u> For the avoidance of doubt and in the interests of proper planning.</p> <p><u>Article 35</u></p> <p>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 (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.</p>

## **Appendix A**

### **Consultation responses**

#### **Berkhamsted Town Council**

Objection - The rear dormer is over dominant. There is loss of amenity and privacy to adjoining properties in Trevelyan Way. This would be contrary to Saved Appendix 3 of the Local Plan 1991-2011

## **Hertfordshire County Council Archaeology Unit**

In this instance I consider that the development is unlikely to have a significant impact on heritage assets of archaeological interest, and I have no comment to make upon the proposal.

### **Appendix B**

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

##### **ORIGINAL PLANS**

Objections

##### 9 Trevelyn Way

The proposed rear dormer window will result in a material increase in the degree of overlooking of the properties to the rear. The new dormer window will look directly into all of the rooms at the rear of 9 Trevelyan Way, two bedrooms, bathroom and w/c, the main dining room, the lounge and the kitchen, and into part of our rear garden. If approved, this will be a gross invasion of our privacy.

The planning application appears to offer only a minimal increase in first floor floorspace but it will afford a direct line of sight, particularly into the main dining room, of 9 Trevelyan Way. To retain privacy we will need to keep our curtains drawn, leading to a material loss of light.

We have no objection to the ground-floor proposals

##### 11 Trevelyn Way

We have no objection to the ground-floor proposals.

However, the proposed rear dormer window will result in a material increase in the degree of overlooking of the properties to the rear, particularly 11 Trevelyan Way. The new dormer window will look directly into all of the rooms at the rear of our house, two bedrooms, two bathrooms, the lounge and the kitchen, and into part of our rear garden. If approved, this will be a gross invasion of our privacy.

The planning application appears to offer only a minimal increase in first floor floorspace but it will afford a direct line of sight, particularly into the main bedroom, of 11 Trevelyan Way. To retain any privacy we will need to keep our bedroom curtains drawn, leading to a material loss of light.

##### **AMENDED PLANS**

No comments received.