

4/00677/19/FHA	FIRST FLOOR SIDE EXTENSION, HIP TO GABLE LOFT CONVERSION WITH REAR DORMER WINDOW, FRONT ROOFLIGHT AND ALTERATIONS
Site Address	3 CHAMBERSBURY LANE, HEMEL HEMPSTEAD, HP3 8AY
Applicant	Mr J Cooksey, 3 Chambersbury Lane
Case Officer	Jane Miller
Referral to Committee	Contrary to the views of Nash Mills Parish Council

1. Recommendation

1.1 That planning permission be **GRANTED** subject to conditions

2. Summary

2.1 The principle of extensions in this location is acceptable. The extensions are considered to be acceptable and not have a significant impact upon the character and appearance of the surrounding area or residential amenity of surrounding properties. The proposed development therefore complies with the National Planning Policy Framework (2019), Policies CS11, CS12 of the Core Strategy (2013), and Saved Appendix 7 (2004).

3. Site Description

3.1 The site is located on the southwest side of Chambersbury Lane within a residential area of Nash Mills in Hemel Hempstead. The site comprises one-half of a pair of 1930s semi-detached, two storey dwellings. No.3 is set back from the road with off street parking to the front. The house is brick built with a tiled hipped roof. The front elevation has a feature gabled two-storey square bay. The house is predominantly render-finished. A single storey side and rear extension was built under reference 4/02529/05/FHA.

3.2 Chambersbury Lane slopes up towards the north and the pairs of semi-detached houses step up the hill, following the curves of the road with Nos 1 and 3 being the first pair of semi-detached houses on the south east end of the road.

3.3 To the rear the medium sized garden slopes away from the house to the south west. The neighbouring property, No. 5 is set approximately 1 metre higher than No. 3 due to the rise in ground level. No. 5 has an existing single storey side and rear extension with hipped mono-pitched roof. The side extension is situated within 0.3 metres of the boundary with No. 3.

4. Proposal

4.1 Planning permission is sought for the construction of a first floor side extension, hip to gable loft conversion with rear dormer window, front rooflight and alterations.

5. Relevant Planning History

4/02529/05/FHA	SINGLE SIDE AND REAR EXTENSION Granted 23/01/2006
4/01913/05/FHA	TWO STOREY SIDE AND SINGLE STOREY REAR EXTENSION Refused 07/11/2005

6. Policies

6.1 National Policy Guidance

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

6.2 Adopted Core Strategy

NP1 - Supporting Development
CS4 - The Town and Large Villages
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design

6.3 Saved Policies of the Dacorum Borough Local Plan

Policy 13 - Planning Conditions and Planning Obligations
Policy 58 - Private parking provision

Saved Appendix 5 - Parking provision
Saved Appendix 7 - Small-scale house extensions

6.4 Supplementary Planning Guidance / Documents [include only those relevant to case]

- Area Based Policies (May 2004) - Residential Character Area HCA 19 Nash Mills

7. Constraints

- Highbarns Outer Zone
- 45.7M AIR DIR LIMIT
- LHR Wind Turbine
- CIL3
- Residential 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 the existing dwelling house
- Impact on the street scene
- Impact on residential amenity of neighbouring properties

Policy and Principle

9.2 The application site is located within a residential area, wherein in accordance with Policy CS4 of the Core Strategy (2013) the principle of residential development is acceptable subject to compliance with the relevant national and local policies.

Impact on Street Scene

9.3 Dacorum's Core Strategy Policies CS11 (Quality of Neighbourhood Design) and CS12 (Quality of Site Design) state that development within settlements and neighbourhoods should preserve attractive streetscapes; integrate with the streetscape character and respect adjoining properties in terms of scale, height, bulk and materials. Chapter 12 of the Framework emphasises the importance of good design in context.

9.4 The proposal would result in a first floor side extension, hip to gable loft conversion with rear dormer, front rooflight and alterations.

9.5 Nash Mills Parish Council have objected to the proposal on the grounds that it constitutes overdevelopment in respect of the side extension and that the size of the dormer is overbearing for a semi-detached property.

9.6 Contrary to the original description, the proposed side element is a first floor side extension not a two-storey side extension. The existing ground floor extension is approximately 2.20 metres in width. This proposed first floor element would sit above the flat roof of the existing ground floor side extension (approximately 1.30 metres width) leaving the existing mono pitched roof sloping towards to the boundary with No. 5 Chambersbury Lane. The existing ground floor side extension was built under previous application 4/02529/05/FHA. The neighbouring property, No. 5 is set approximately 1 metre higher than No. 3 due to the rise in ground level. No. 5 has an existing single storey side and rear extension with hipped mono-pitched roof situated

within 0.3 metres of the boundary with No. 3.

9.7 Following the comments from Nash Mills and negotiation with the applicant amended plans were received to reduce the bulk and height of the side extension further by setting it back from the front boundary by 1 metre and down from the ridge, creating what is considered a subordinate addition to the parent building in terms of scale and height and considered to accord with HCA19 Nash Mills, Other dwellings in the road have previously extended to the side including Nos 11, 17, 23 and 25. The current proposal is smaller and set in from the boundary as mentioned in 9.9 as opposed to previous application 4/01913/05/FHA as referred to in the neighbour comments.

9.8 The Hip to Gable is considered acceptable. Whilst it would be a change, the main projecting features of the building would remain prominent including the gable and bay window, which is recurring through the group of buildings. It is also a less prominent building due to it being semi-detached and its location adjacent to an elevated building (at No.5).

9.9 Generally permitted development rights remain intact within the street, whereby the construction of a roof extension including a hip to gable, rear dormer and front rooflights under 50 cubic metres can be constructed without the need for planning permission complying by virtue of Schedule 2, Part 1, Classes B and C of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO). However, No.3 Chambersbury Lane had permitted development rights removed in respect of the construction of windows, dormer windows, doors or other openings under condition 2 of a previous planning application number 4/02529/05/FHA (single side and rear extension) in the interests of residential amenities of the occupants of the adjacent dwellings thereby enabling the Local Planning Authority control over future development through the need for submission of planning applications. The cumulative volume of the proposal at No. 3 Chambersbury Lane including the hip to gable extension, rear dormer and the additional roof space, which would result from the proposed first floor side extension, totals approximately 42.92 cubic metres i.e. less 50 cubic metres. Further, the proposed dormer is sited on the rear roof slope, which is preferable to the front, and is set in from the boundaries, up from the eaves (>0.2 metres) and down from the ridge line, constructed of matching materials to the parent dwelling and it would therefore be considered to comply with the GPDO and Saved Appendix 7 of the Local Plan. Essentially, with the exception of the first floor side extension any neighbour with permitted development rights in tact could construct a similar proposal without seeking planning permission.

9.10 In respect of the street scene, whilst it is acknowledged that the pattern of these 1930s semi-detached dwellings retain an attractive building pattern as they rise into the curve and therefore merits some interest, following informal discussion with our design and conservation officer they are not considered to be of such architectural value to be either statutory or non-designated heritage assets.

9.11 The importance of maintaining gaps between dwellings is also acknowledged. In Chambersbury Lane, these open up and become more evident as the street rises. However, the gap between No. 3 and No. 5, due to the lay of the land only comes into view opposite No. 3, and at this point as the land rises from street level the views are mainly sky and not of the valley below. Additionally it is considered that a reasonable gap will be maintained between the proposed first floor side extension and the

boundary with No. 5. The gap is over one metre increasing to approximately 1.5 metres towards the rear.

9.12 Moreover No.3 sits in a less prominent position to its neighbour at No.5, with ground levels stepping down by approximately 1.5 metres; No.3 also has a gabled two-storey square bay to the front elevation which remains the prominent feature, hence is it considered the proposal creates less impact and harm. The rear dormer is not visible from the street.

9.13 Overall, it is considered that the proposal does not appear unduly dominant in terms of bulk, scale and height to the parent building and streetscene and will use sympathetic materials to match existing. Therefore it is considered that the proposal would be generally sympathetic and in keeping with the surrounding area, respect adjoining properties and would therefore result in no significant adverse effects on the character and appearance of the streetscene in terms of visual and residential amenity. This accords with the local and national policies mentioned above.

Effect on Residential Amenity

9.14 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 of visual intrusion, loss of light and privacy.

9.15 To avoid any issues of overlooking both proposed side windows facing the boundary with No.5 are to be obscure glazed (see elevation plan CM/10/01/2019/3 D which addresses the concerns of Nash Mills Parish Council. It is understood that the first floor window facing in the side elevation at No.5 services the stairs and the roof lights, the kitchen / utility.

9.16 Nash Mills Parish Council objected to the rear dormer, as it would enable the occupants to look directly over neighbouring properties and gardens; however, the harm is not considered to be greater than that from existing first floor rear windows. Views from the dormer window face down the garden, not directly overlooking the neighbouring gardens, only being viewed through peripheral vision if stood directly against the window. Additionally rear dormers are considered as permitted development if they comply with the GPDO and can therefore be built without planning permission if permitted development rights are intact.

9.17 Overall, it is considered that the proposal would result in no significant adverse impact on the residential amenity of the neighbouring properties when considering a loss of daylight, sunlight or privacy. It is therefore considered that the proposal accords with Policy CS12.

Impact on Highway Safety

9.18 The application would increase the bedroom size of the property by one. The property would maintain private parking provision located to the front of the dwelling. It is considered that the introduction of one new bedroom within the property would not result in a serious impact on highway safety.

10. Conclusions

10.1 Based on the above assessment the proposal would be acceptable.

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>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.</p> <p>Reason: To ensure a satisfactory appearance to the development in accordance with Policy CS12 of the Dacorum Core Strategy 2013.</p>
3	<p>Notwithstanding the details shown on Drawing No. CM/10/01/20119/3 D elevations, the new first floor side windows within the gable end side elevation of the development hereby permitted shall be permanently fitted with obscure-glazing and non-opening below a height of 1.7m from finished floor level.</p> <p>Reason: In the interests of safeguarding residential amenity in accordance with Policy CS12 of the Dacorum Core Strategy 2013.</p>
4	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>site location plan CM/10/01/2019/ 2 D existing and proposed floor plans CM/10/01/2019/ 3 D existing and proposed elevations CM/10/01/2019/ 4 B block plan</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p> <p>ARTICLE 35</p> <p>Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the</p>

	<p>determination process which led to improvements to the scheme. 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> <p>INFORMATIVE 1:</p> <p>Carrying Out Development in the High Barns Chalk Mines Outer Area and Land Stability</p> <p>The government advice is that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.</p> <p>In granting planning permission the local planning authority has fully taken into account the recent geotechnical reports regarding land stability following the completion of remediation works. Based upon the information now available the local planning authority is aware of the improvements to localised land stability.</p>
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Appendix X

Consultation responses

NASH MILLS PARISH COUNCIL, 12 Silverthorn Drive	Comment
<p>Nash Mills Parish Council object to the application on the following basis;</p> <p>Overdevelopment Double storey side extension and dormer. The size of dormer is overbearing for a semi detached property.</p> <p>Street Scene The roof line proposed on the side extension is unsympathetic to the 1930?s properties and the associated street scene.</p> <p>Overlooking/loss of privacy Windows in side elevation look directly on to neighbouring property. Dormer enables occupant to look directly over neighbouring properties and gardens.</p> <p>Protection for architecturally important properties Under the Adopted Core Strategy 25 September 2013 section 17 policy cs27</p>	

(Conserving the historic environment) we would like to add; Chambersbury Lane & Highbarns have original 1930's properties, it is our opinion that the architectural integrity should be protected by preventing the overdevelopment and de-characterisation of these valued examples. Whilst these are not listed they are a valuable example of a period in Nash Mills history. This is in line with DBC's core strategy noted above 'All development will favour the conservation of heritage assets. The integrity, setting and distinctiveness of designated and undesignated heritage assets will be protected, conserved and if appropriate enhanced.'

Appendix X

Neighbour notification/site notice responses

Objections

Address	Comments
5 CHAMBERSBURY LANE,HEMEL HEMPSTEAD,,HP3 8AY	<p>I have reviewed the above proposal for a two storey side extension at No 3 Chambersbury Lane. I am the owner of No 5 Chambersbury Lane. A similar extension application was refused back in November 2005 by the Dacorum Borough Council, the reasons given for refusal back then were:-</p> <p>"Contrary to Policy 11 of the Dacorum Borough Local Plan"</p> <p>"Safeguard the character of the Borough"</p> <p>"Avoid visual harm"</p> <p>The 2005 proposal was furthermore seen as "unacceptable due to the fact that it would be unduly close to the side wall of the adjoining property of No 5". I do note that the 2019 extension plans are slightly different to those of 2005, (proposed upstairs extension 'cutting back' away from No 5) however the impact on the consistency of the existing semi-detached roof outlines and visual streetscape would still be severely compromised.</p> <p>I also noted from the 2005 application that mention of No 23 and No 25 Chambersbury Lane which indeed do both have side extensions are "out of character and should be avoided" given that this part of Chambersbury Lane consists of semi-detached properties with distinct separate roof lines.</p> <p>I see no reason that in 2019 the same reasons for refusal</p>

	should not be given to the proposed extension at No 3 Chambersbury Lane. I await to hear your response. Regards
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Supporting

Address	Comments
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Commenting

Address	Comments
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