

4/01310/19/FHA	CONSTRUCT SINGLE STOREY REAR EXTENSION, TWO STOREY SIDE EXTENSION, LOFT CONVERSION AND NEW LOFT ROOM, DEMOLITION OF EXISTING GARAGE AND INTERNAL ALTERATIONS
Site Address	25 SWING GATE LANE, BERKHAMSTED, HP4 2LL
Applicant	MS K PETTY, 25 SWING GATE LANE
Case Officer	Colin Lecart
Referral to Committee	Contrary view of Berkhamsted Town Council

1. Recommendation

1.1 That planning permission be **GRANTED**

2. Summary

2.1 The two storey side extension would be set back from the principle elevation of the original dwelling and would be positioned approximately 4.9m away from the side boundary (rear boundary of number 19 Greene Walk). The rear dormer window would be set down below the main ridge height of the property and set in approximately 1m from the side elevations of the property. The single storey would measure approximately 3.5 metres in depth and 3m in height. A Sunlight/Daylight assessment has been submitted in support of the application which concludes that a good level of sunlighting and daylight to the nearest affected windows at number 19 Green Walk (rear conservatory) would be maintained. The report also finds that the proposed extensions would not unduly impact on sunlight to the rear garden of number 19. The first floor rear window on the proposed side extension and the window on the rear dormer window nearest to the properties on Greene Walk would both be obscure glazed. A car parking space would be maintained within the garage with space for 2 cars available on the driveway to the front of the property.

2.2 As a result, the application is considered acceptable under policies CS11 and CS12 of the Core Strategy (2013) and Saved Appendices 3, 5 and 7 of the Local Plan (2004).

3. Site Description

3.1 The application site comprises of a two storey detached dwellinghouse located along Swing Gate Lane, Berkhamsted

4. Proposal

4.1 The application seeks permission for the construction of a single storey rear extension, two storey side extension, loft conversion and rear dormer window, demolition of the existing garage and internal alterations.

5. Relevant Planning History

None

6. Policies

6.1 National Policy Guidance

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

6.2 Adopted Core Strategy –

CS4
CS11
CS12

6.3 Saved Policies of the Dacorum Borough Local Plan

Saved Appendix 3
Saved Appendix 5
Saved Appendix 7

7. Constraints

- Established 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 original dwelling and the surrounding area
- Impact on the residential amenity of neighbouring properties
- Car parking and access

Policy and Principle

9.2 The application site is located within a residential area of Berkhamsted wherein accordance with Policy CS4 of the Core Strategy (2013) the principle of residential extension is acceptable

Impact on original building and surrounding area

9.3 The two storey side extension would be set back from the principal elevation of the property by approximately 0.9m and measure approximately 3.4m in width. It is considered that due to set back of the extension and its modest width, it would be subservient to the original dwellinghouse. Furthermore, the footprint of the proposed extension would largely be positioned on top of the footprint of the existing garage with an increase in width of approximately 1.1m. The proposed rear extension is single storey in height, measuring approximately 3.5m in depth and would not be visible from the street scene. The proposed rear dormer window would be set down from the main ridge height of the property and set in approximately 1m from the side elevations of the property, thus maintaining subservience to the roof of both the original property and proposed side extension.

9.4 The proposed side extension would be set in approximately 4.9m from the boundary with number 19 Greene Walk. A garden depth of approximately 14m would be maintained. Thus, the application is not considered to amount to overdevelopment in relation to the size of the plot. The rear extension and rear dormer window would not be visible from the street scene and the two storey side extension is not considered to be overtly harmful to the street scene of Swing Gate Lane. Velux rooflights could be inserted onto the roof of the property under permitted development rights.

9.5 Due to the above, it is considered the application complies with Policies CS11 and CS12 of the Core Strategy (2013) and Saved Appendix 7 of the Local Plan (2004).

Impact on residential amenity

9.6 A sunlight/daylight assessment has been submitted in support of the application which concludes that a good level of sunlighting and daylight to the nearest affected windows at number 19 Greene Walk (rear conservatory) would be maintained. The report also finds that the proposed extensions would not unduly impact on sunlight to the rear garden of number 19. The assessment has focused on the impacts to number 19 as this is the most affected property in light terms. The impacts on number 18 and 20 Greene Walk, will, because of their relative position to and their greater distance from the proposed extensions, be less affected in sunlight and daylight terms.

9.7 In terms of overlooking, no windows are proposed on the side elevation of the proposed two storey side extension facing onto the rear gardens of number 17 and 18 Greene Walk. The first floor window on the rear of the two storey side extension would be obscure glazed. The loft floor window within the rear dormer window positioned over the side extension would also be obscure glazed. The loft floor window serving bedroom 4 looks over the site's own rear garden and is not considered to introduce an overtly harmful situation above and beyond the existing situation (from the existing first floor windows on number 25) in terms of overlooking. Furthermore, this portion of the dormer window could be constructed under permitted development rights.

9.8 Due to the above, it is considered the application complies with Policy CS12 of the Core Strategy (2013) and Saved Appendix 3 of the Local Plan (2004).

Car Parking

9.6 Under the maximum based car parking standards set out in Appendix 5 of the Local Plan (2004) a four bedroom property would require provision for three car parking spaces. One car parking space would be maintained within the new garage

with space for two cars available on the driveway to the front of the property. It should also be noted that the width of the new garage would be greater than the existing one by approximately 800mm, making it a more suitable space fit for the parking of a modern vehicle.

CIL

9.9 The application is not CIL liable

10. Conclusions

10.1 The application complies with Policies CS4, CS11 and CS12 of the Core Strategy (2013) and Saved Appendices 3, 5 and 7 of the Local Plan (2004) and is recommended for approval.

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 development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>1918 103 1918 104 1918 105</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>
3	<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 and in accordance with Policy CS12 of the Core Strategy (2013)</p> <p>Article 35 Statement</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, THE CIVIC CENTRE	Comment
Objection	
<p>The Committee agreed that, by its scale, bulk and mass, the proposed application would be an intrusive overdevelopment and would adversely impact the street scene.</p> <p>Although the drawings do not show the impact on amenity or loss of light, the proposed dormer would allow views along many of the properties in Greene Walk. The adjacent neighbours comments should be taken into account.</p> <p>CS11, CS12, Appendix 3 (i, iv)</p>	

Appendix B

Neighbour notification/site notice responses

Objections

Address	Comments
17 GREENE WALK, BERKHAMSTED,, , HP4 2LW	<p>I am concerned about this big alteration. I live at the above property my back garden looks over to this property and I am concerned it will shut more light out to my garden, also the new extension will look straight into my rooms losing any privacy I have.</p> <p>I am certainly not happy with the plans.</p> <p>Car parking in Swingate Lane is a nightmare.</p>
16 GREENE WALK, BERKHAMSTED,, , HP4 2LW	<p>Our concerns are that in an already crowded and overlooked space there would be a significant reduction in privacy to not only our property but also the garden and outside area of ours and fellow existing residents.</p> <p>There is also concern that there would be a potential increased strain on the already hazardous parking situation along Swing Gate Lane, which is regularly used by the local school traffic as parking (often itself quite dangerous.)</p> <p>We hope that our concerns will be fully considered before</p>

	any planned building work in approved.
19 GREENE WALK, BERKHAMSTED,, ,HP4 2LW	<p>My property backs on to the side elevation of number 25 Swingate Lane and is therefore directly affected by the proposed extensions. The decision makers should be made aware that Swingate Lane rises steeply and number 25 is at a much higher elevation than my house in Greene Walk and that the rear of my property faces towards the south. The two storey side extension, which will match the current roofline, will be significantly closer to the rear boundary of my property and this together with the elevation difference will dramatically reduce the light currently enjoyed and have an overbearing impact. The proposed dormer which would end at the side elevation will further restrict the amount of light. The side extension with the dormer will, from the rear of my property, have the appearance of a four storey building.</p> <p>I consider that the proposed three extensions together represent overdevelopment of a 3 bedroomed detached house. It should also be noted that number 25 is located on a particularly busy part of Swingate Lane close to the junction with Woodlands Avenue, especially so at the morning and afternoon drop off /collection times for Swingate and Thomas Coram schools.</p>
18 GREENE WALK, BERKHAMSTED,, ,HP4 2LW	<p>Having viewed the proposed plans for these works I object to this application for the following reasons.</p> <p>1) Loss of Privacy: My property is adjacent to this plot. Due to the angle of 25 Swing Gate Lane against my property and its elevation (25 Swing Gate Lane is up a steep hill from my property), if the two storey side extension and loft extension goes ahead, three of my bedrooms, my kitchen, my dining room and my garden will be directly overlooked, at close quarters, and I will lose considerable privacy.</p> <p>2) Loss of light: The proposed two-storey side extension with loft dormers on the third floor will have the impact of a three to four storey building due to the property being uphill from mine. This proposed extension will result in a very high brick wall (the proposed new side wall) very close to the boundary with my property. The proximity of this wall to the back of my property will result in overshadowing and a loss of light in the rooms at the back of my house, as well loss of light in my garden.</p> <p>3) Overbearing & enclosed: As my garden is small the</p>

	<p>proximity and height of the above-mentioned side wall will be overbearing as it would be unpleasantly close to the rooms at the back of my house and close to my garden, negatively impacting my overall enjoyment of both the inside and outside of my property and result in an overall sense of being enclosed.</p> <p>4) Density: The proposed side extension will significantly increase the density of the houses on the corner of Swing Gate Lane and Greene Walk, creating a feeling a disproportionate overcrowding for the affected Greene Walk residents, in an otherwise low density residential area.</p> <p>I hope these objections will be given full consideration.</p>
<p>20 GREENE WALK, BERKHAMSTED,, HP4 2LW</p>	<p>This seems a large project, which will make this property outsized in relation to the other properties nearby.</p> <p>This project will be built on a hill and the plans seem to take no account of this, meaning that the height of this newly extended property would overshadow those of 17, 18, 19 and 20 Greene Walk. It will have the effect of a four story building, which is clearly not desirable.</p> <p>The extension at 31 Swing Gate Lane seems to me to have dealt with building on a hill much more sympathetically and appropriately.</p>