

<b>4/00729/19/FHA</b>	<b>CONSTRUCTION OF ATTACHED GARAGE AND TWO FRONT ROOFLIGHTS TO HOUSE A</b>
<b>Site Address</b>	<b>BLACKSMITH YARD COTTAGE, RIVER HILL, FLAMSTEAD, ST ALBANS, AL3 8BY</b>
<b>Applicant</b>	<b>Mr P Spedding, Blacksmith Yard Cottage</b>
<b>Case Officer</b>	<b>Heather Edey</b>
<b>Referral to Committee</b>	<b>Contrary views of Flamstead Parish Council</b>

## **1. Recommendation**

1.1 That planning permission be **GRANTED**.

## **2. Summary**

2.1 The proposed works are acceptable in principle, given that they would not be considered to cause harm to the openness of the Green Belt and would result in proportionate additions to the existing dwelling, in accordance with the exception listed under criterion (c), Paragraph 145 of the NPPF (2019). The proposal is not considered to detract from the character and appearance of the existing dwelling, the surrounding Grade II Listed Buildings, the streetscene or the distinct character of the Flamstead Conservation Area. The proposal would not adversely affect the amenity of neighbouring properties, would provide sufficient parking provision in line with maximum standards and would not give rise to any highway safety concerns. As such, the proposal complies with the National Planning Policy Framework (2019), Policies CS6, CS8, CS11, CS12 and CS27 of the Core Strategy (2013), Saved Policies 58 and 120 and Saved Appendices 5 and 7 of the Local Plan (2004).

## **3. Site Description**

3.1 The application site is located on the edge of the village of Flamstead in the Flamstead Conservation Area, and accessed via a narrow lane off River Hill. The site is situated within a sensitive location in the Metropolitan Green Belt, bridging the gap between the modern residential development of Priory Orchard to the west and the historic complex to the east, consisting of Grade II Listed Buildings: Lavender Cottage, Rosemary Cottage, Blacksmith Cottage and River Hill Cottage. A public footpath extends along the front of the site, providing views across open countryside, whilst the rear of the site provides views of Grade II Listed Building, Verlam Cottage and the church spire.

3.2 Under application 4/02055/15/FUL, planning permission was given for the demolition of Blacksmith Yard Cottage, and the construction of two dwellings; House A and House B. The application site currently comprises fully constructed House A, partially constructed House B and soon to be demolished Blacksmith Yard Cottage. Both houses were sympathetically designed to preserve the character and appearance of the Flamstead Conservation Area, with House A being designed to integrate with modern development to the west and House B designed to be in keeping with historic buildings to the east.

## **4. Proposal**

4.1 The original application sought to construct two front dormer windows and an attached garage. Following objections raised by the Parish Council and Conservation and Design Officer, the proposal has gone through numerous amendments, in attempts to overcome these concerns. The current application seeks planning permission for the insertion of two rooflights on the front elevation of House A and for the construction of an attached garage.

## **5. Relevant Planning History**

4/02055/15/FUL    DEMOLITION OF EXISTING HOUSE AND CONSTRUCTION OF TWO NEW HOUSES  
Granted  
21/01/2016

## **6. Policies**

### **6.1 National Policy Guidance**

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

### **6.2 Adopted Core Strategy**

- CS6, CS8, CS11, CS12 and CS27

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

- Policies 58, 119, 120 and Appendices 5 and 7

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

- Accessibility Zones for the Application of Car Parking Standards (July 2002)

## **7. Constraints**

- Conservation Area
- Area of Archaeological Importance
- Small Village
- Green Belt
- Right of Way

## **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, Streetscene and Conservation Area
- Impact on Listed Buildings
- Impact on Residential Amenity
- Impact on Parking and Highway Safety

### Policy and Principle

9.2 The application site is located within the Metropolitan Green Belt, whereby national policy restricts inappropriate development.

9.3 Though Paragraph 145 of the National Planning Policy Framework (NPPF) states that Local Planning Authorities should regard the construction of new buildings in the Green Belt as inappropriate development, it later lists exceptions to this rule. Criterion (c) lists the following exception; 'the extension or alteration of a building provided it does not result in disproportionate additions over and above the size of the original building.'

9.4 Local Policy aligns with national policy when defining appropriate development in the Green Belt. Policy CS6 of the Dacorum Borough Core Strategy (2013) stating that house extensions are permitted within the small village of Flamstead provided they are sympathetic to the adjoining countryside, in terms of local character, design, scale, landscaping and visual impact and retain and protect features essential to the character and appearance of the village.

9.5 The application site is also located within the Flamstead Conservation Area. Saved Policy 120 of the Local Plan (2004), Policy CS27 of the Core Strategy (2013) and the NPPF (2019) all seek to ensure that new development preserves and enhances the established character and appearance of the Conservation Area.

9.6 National policy fails to specify what constitutes a proportionate addition to an original building in accordance with criteria (c), Paragraph 145 of the NPPF (2019). Saved Policy 22 of the Local Plan (2004) states that extensions in the Green Belt should be compact and limited in size, and provides qualitative criteria with which to make this assessment. Given that this policy is partially inconsistent with the NPPF, little weight is given to it when determining whether the proposed works reflect proportionate additions.

9.7 Previous appeal decisions have clarified that assessments should be made with reference to objective facts (such as size, volume and height), and other material planning considerations (including bulk, mass and prominence).

9.8 The proposed rooflights and attached garage are modest in size, volume and height, and are not considered to add significant bulk and mass to the existing dwelling. As such, the proposed works are considered to reflect proportionate additions

to House A.

9.9 Taking the above into account, the proposal is considered acceptable in principle, reflecting appropriate development in the Green Belt in accordance with the NPPF (2019). As such, the main issues of relevance to this application relate to the impact of the proposed works on the existing building, streetscene, Conservation Area and Grade II Listed buildings, residential amenity and parking/highway safety.

#### Impact on Existing Building, Streetscene and Conservation Area

9.10 Policies CS11 and CS12 of the Dacorum Borough Core Strategy (2013) seek to ensure that new development respects adjoining properties in terms of layout, scale, height, bulk and materials. Furthermore, Saved Appendix 7 of the Dacorum Borough Local Plan (2004) promotes good design practice for house extensions, stating that extensions should harmonise with the existing house and the surrounding area.

9.11 Policy CS6 of the Dacorum Borough Core Strategy (2013) states that house extensions within the village of Flamstead should be sympathetic to the adjoining countryside, in terms of local character, design, scale, landscaping and visual impact and should retain and protect features essential to the character and appearance of the village.

9.12 With regards to Conservation Areas, the NPPF (2019), Policy CS27 of the Dacorum Borough Core Strategy (2013) all seek to ensure that new development positively conserves and enhances the appearance and character of the wider conservation area. In addition to this, Saved Policy 120 of the Dacorum Local Plan (2004) states that alterations and extensions should be complementary and sympathetic to the established character of the building and wider conservation area, noting that new development should use materials traditional to the area and complementary to its character.

9.13 The current application seeks permission to convert the loft into an additional bedroom and bathroom, with external works involving the insertion of two roof lights on the front elevation of House A.

9.14 The proposed rooflights would be visible within the streetscene, from the end of the narrow access lane, and from a public vantage point at the front of the site.

9.15 The Conservation and Design Officer was consulted on this element of the proposal and raised concerns, suggesting the rooflights be repositioned on the rear elevation to prevent them being visible within the streetscene.

9.16 Though these suggestions were put to the agent, the proposal was not amended in line with these comments, due to concerns regarding the overlooking of neighbouring properties. Furthermore, given their modest size and scale, the proposed rooflights would not be considered to appear overtly prominent or to detract from the character and appearance of the existing building or wider streetscene.

9.17 The proposed rooflights are also considered to preserve the established character of the Flamstead Conservation Area, given that they would be in keeping with the modern character and design of properties situated along Priory Orchard.

9.18 The application also proposes the construction of a single attached garage, projecting 3.9m from the side elevation of the existing dwelling and measuring approximately 6.5m deep. Positioned approximately 0.8m set back from the front elevation, it would comprise a steeply pitched roof, in keeping with the roof form of House A, and would be constructed in materials to match the existing dwelling, including matching facing brickwork, tiles and white finish windows.

9.19 The proposed garage would also be visible within the streetscene.

9.20 Given that the garage would partially infill the gap between House A and House B, the Parish council raised objection to this element of the proposed works, considering the garage to result in an increased feeling of congestion and mass.

9.21 The Conservation and Design Officer raised similar objections, considering the gap between Houses A and B to be important, given that it preserves the distinct character of modern development to the west and historic development to the east within this part of the Flamstead Conservation Area, whilst retaining rear views of Verlam Cottage and the church spire.

9.22 Given its positioning, set back from the front elevation of House A by approximately 0.8m and set away from House B by approximately 2m, the proposed garage would not be considered to result in an increased feeling of congestion or mass. Taking into account its sympathetic design and material finish, the proposed garage would reflect a subordinate addition to House A, retaining the distinct character of modern development to the west within this part of the Flamstead Conservation Area. By virtue of its scale and design, the proposed garage is considered to preserve the characteristic openness and permanence of the Green Belt, retaining views of open countryside to the front of the site, as well as views of Grade II Listed Building Verlam Cottage and the church spire to the rear.

9.23 Given the above assessment, the proposed works are considered to be acceptable, given that they would preserve the characteristic openness of the Green Belt and would not detract from the character and appearance of the existing building, streetscene and wider Conservation Area. The proposal therefore complies with the NPPF (2019), Policies CS6, CS11, CS12 and CS27 of the Core Strategy (2013), Saved Policy 120 and Saved Appendix 7 of the Local Plan (2004).

#### Impact on Listed Buildings

9.24 The NPPF (2019), Policy CS27 of the Core Strategy (2013) and Saved Policy 119 of the Local Plan (2004) all seek to ensure that new development protects, conserves and where possible enhances the character and appearance of designated and undesignated heritage assets.

9.25 The proposed works are considered to conserve the character and appearance of Grade II Listed Buildings Lavender Cottage, Rosemary Cottage, Blacksmith Cottage, River Hill Cottage and Verlam Cottage by virtue of their positioning, scale and sympathetic design. As such, the proposal complies with the NPPF (2019), Policy CS27 of the Core Strategy (2013) and Saved Policy 119 of the Local Plan (2004).

#### Impact on Residential Amenity

9.26 The NPPF (2019) outlines the importance of planning in securing good standards of amenity for existing and future occupiers. Furthermore, Saved Appendix 3 of the Local Plan (2004) and Policy CS12 of the Core Strategy (2013) seek to ensure that new development avoids visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to surrounding properties.

9.27 Taking into account the scale and positioning of the proposed rooflights, and the orientation of House A in relation to neighbouring properties, this element of the proposed works would not be considered to adversely impact on the amenity of neighbouring properties by facilitating additional overlooking, resulting in loss of light or privacy or being visually overbearing.

9.28 The proposed garage is also considered to be acceptable in terms of its impact on residential amenity, given that it would not appear visually intrusive or result in the loss of light or privacy to neighbouring properties. By virtue of its scale and positioning, the proposed garage would be screened from view of neighbouring properties 8 Priory Orchard and Grade II Listed Buildings Lavender Cottage, Rosemary Cottage and Blacksmith Cottage. Whilst visible from River Hill Cottage and Verlam Cottage, the garage would be modest in scale, retaining distances of approximately 22-25m from these properties.

9.29 Taking all of the above into account, the proposal complies with the NPPF (2019), Saved Appendix 3 of the Local Plan (2004) and Policy CS12 of the Core Strategy (2013).

### Other Material Planning Considerations

#### Impact on Parking and Highway Safety

9.30 The NPPF (2019), Policies CS8 and CS12 of the Dacorum Borough Core Strategy (2013) and Saved Policy 58 of the Local Plan (2004) all seek to ensure that new development provides safe and sufficient parking provision for current and future occupiers.

9.31 The proposed loft conversion would involve the addition of one bedroom, altering the property from a four to five bed dwelling. The maximum parking standards state that a five bed house in this area requires a maximum of three off-street parking spaces. The proposed plans show that the maximum parking standards would be met, with three off-street parking spaces being provided.

9.32 Given that the site is accessed via a narrow lane, the Parish council have raised concerns in relation to the above parking arrangements, questioning whether cars would be able to safely access the allocated spaces and have sufficient room to turn around and leave via the narrow access lane. In order to address these concerns, the agent has updated the plans, showing that cars would have a 6m radius to allow sufficient room to access and leave the site. As such, no concerns are raised to the proposal on highway safety grounds.

9.33 Given the above, the proposal is considered to provide sufficient parking for current and future occupiers, complying with the NPPF (2019), Policies CS8 and CS12 of the Core Strategy (2013), Saved Appendix 5 and Saved Policy 58 of the Local Plan

(2004).

### Response to Neighbour Comments

9.34 Objections were received from neighbouring properties 6 Priory Orchard and Verlam Cottage in relation to earlier versions of the scheme, relating to the construction of front/rear dormers. Given that these works have been removed from the current proposal, these objections have not be considered as part of the above assessment.

9.35 Concerns were also raised by no. 6 Priory Orchard relating to the proposed garage, and the potential that it could later be converted into habitable space. Given that House A's permitted development rights were removed under application 4/02055/15/FUL, it is not considered necessary to attach a condition restricting the conversion of the garage into habitable space, given that the applicant would have to apply for planning permission to carry out these works.

### Community Infrastructure Levy (CIL)

9.36 Policy CS35 of the Core Strategy (2013) 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 1<sup>st</sup> July 2015. The application is not CIL liable as it would result in less than 100 sqm of additional residential floorspace.

**10. RECOMMENDATION** – That planning permission be **GRANTED** for the reasons referred to above, 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><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>The development hereby permitted shall be constructed in accordance with the materials specified on the application form.</p> <p><u>Reason:</u> To ensure a satisfactory appearance to the development and in the interests of the visual amenities of the Conservation Area, in accordance with Policies CS12 and CS27 of the Core Strategy (2013) and Saved Policy 120 of the Local Plan (2004).</p>
3	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>BY2:01 BY2:02 Rev E BY2:04 Rev C</p>

	<p>BY2:03 Rev C</p> <p><u>Reason:</u> For the avoidance of doubt and in the interests of proper planning, in accordance with Policy CS12 of the Core Strategy (2013).</p> <p><u>Article 35</u></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 (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.</p>
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## Appendix A

### Consultation responses

FLAMSTEAD PARISH COUNCIL	Objection
<p>The Parish Council objects to this application due to the overdevelopment of the site in the context of the surrounding dwellings. The extra dormer windows would not enhance the street scene. Furthermore a 5 bedroomed house could generate a 5 car household and with a garage added on to the side there would be much less flexibility for parking. This is in the conservation area of the village with no capacity for off street parking and with a narrow lane access.</p> <p><b>Response following amendments to the scheme</b></p> <p>The PC strongly upholds its earlier objection to the amended plans. The proposed garage would not enhance the plot. It would unacceptably increase the feeling of congestion and mass in this small site whilst decreasing the parking flexibility. The PC objects to the dormer window in the roof as inappropriate as it increases the sense of mass and would be overpowering in this rural setting in the conservation area. It is not comparable with the dormer windows found on the neighbouring cottage which are on the first floor. The proposed dormer would create an impression of height and greater mass by giving the dwelling an obvious third floor.</p> <p>There was no swept path diagram on the plans to give a clear view of where all the cars would park and how they would easily turn around without encroaching on the neighbours' land. A 2004mm x 4922mm 4x4 car with a poor lock would perform less well than a smaller car in such a restricted space.</p> <p>The plan showing the refuse lorry turn is inaccurate and unrealistic given that lorries of that size would struggle to reach the houses.</p> <p>Object</p>	

CONSERVATION AND DESIGN OFFICER	Objection
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The proposals for the two houses (of which this forms the larger) replacing the former single cottage on this site in 2016 went through many iterations to arrive at a satisfactory design. The houses do not have dormers so as to preserve simple roof forms, consistent with the neighbours. The gaps between the houses were considered to be important so the garage will fill this open view through and will convert what were 3 parking spaces into a covered garage providing a single car parking space, thus, displacing any further parked cars forward of the building line.

I consider the scheme – including both addition of dormers and garage, would be harmful to the conservation area and would bring no significant benefits to outweigh the harm caused.

### **Response following amendments to the scheme**

The marginally revised plans do not address any of my concerns as outlined in my e-mail of 14th June:

'The proposals for the two houses (of which this forms the larger) replacing the former single cottage on this site in 2016 went through many iterations to arrive at a satisfactory design. The houses do not have dormers so as to preserve simple roof forms, consistent with the neighbours. The gaps between the houses were considered to be important so the garage will fill this open view through and will convert what were 3 parking spaces into a covered garage providing a single car parking space, thus, displacing any further parked cars forward of the building line.

I consider the scheme – including both addition of dormers and garage, would be harmful to the conservation area and would bring no significant benefits to outweigh the harm caused.'

A simple loft conversion could be considered if the means of lighting it was moved entirely to the rear elevation, using rooflights rather than dormers. The garage would need to be omitted for the reasons explained above.

<b>ARCHAEOLOGY</b>	<b>No Comment</b>
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In this instance, the development site has been subject of an archaeological evaluation, and subsequent archaeological monitoring of the groundworks for two new houses (ref 4/02055/15/FUL).

I therefore 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**

#### **Objections**

Address	Comments
<p>VERLAM COTTAGE, RIVER HILL, FLAMSTEAD, ST ALBANS, AL3 8BY</p>	<p>Ref Drawing No. BY02:04 rev B which shows a dormer window to the rear of the property, my wife and I object strongly .</p> <p>Installing a dormer window to the rear of this house would be intrusive to the rear courtyard of my property.</p> <p>We have a 2m fence around said courtyard, when we are sitting we can see the roof of the new house but no windows thus giving us some privacy.</p> <p>Installing a dormer window to the rear would remove all privacy from my gardens.</p> <p>I cannot see why anyone would want to install a dormer to the rear overlooking gardens rather than to the front with views over the valley.</p>

Address	Comments
<p>6 PRIORY ORCHARD, RIVER HILL, FLAMSTEAD, ST ALBANS, AL3 8BU</p>	<p>The two new dwellings are adjacent to my property and overlook the back of my house and garden.</p> <p>Whilst I have no objection to the construction of a garage I would like the planning officer to consider :</p> <p>The height of the dormers, its difficult from the hand drawings to gauge the height of the pitch, I would hope that it would not be as severe as drawn.</p> <p>The drawings show that the building has a door and window at ground level, many garages are turned into habitable space, this has the scope for such a change which would increase the habitable space quite considerably with the possibility of putting windows in the dormers which would overlook the rear of my house and add to the development footprint of the plot which is already quite considerable.</p>

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