

4/01698/19/FHA	SINGLE STOREY PART SIDE PART REAR EXTENSION
Site Address	115 GEORGE STREET, BERKHAMSTED, HP4 2EJ
Applicant	Mr A Fyvie-Rae, 115 George Street
Case Officer	Colin Lecart
Referral to Committee	Contrary views of Berkhamsted Parish Council

1. Recommendation

1.1 That planning permission be **GRANTED**

2. Summary

2.1 The proposed extension would not be visible from the street scene and not detrimentally impact upon the character of the Berkhamsted Conservation Area. With regards to light loss, the extension would not breach a 45 degree angle from the nearest habitable window at number 113 in elevation and would be 0.6m higher than the existing fence line. Therefore, it is considered that the proposal would not result in significant light loss over the existing situation. Thus, the proposal accords with Policies CS11, CS12 and CS27 of the Core Strategy (2013) and Saved Appendices 3, 5, and 7 of the Local Plan (2004).

3. Site Description

3.1 115 George Street is a modest late 19th century terraced property of rendered brick construction fronting George Street which is situated within the Berkhamsted Conservation Area. The rear of the property can be accessed via the footpath which runs between the rear gardens of properties along George St and Ellesmere Rd.

4. Proposal

4.1 The application seeks permission for the construction of a part side part rear single storey extension. The extension would infill an area between an existing rear outrigger and extend beyond it to the rear.

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 –

Policy CS4
Policy CS11
Policy CS12

Policy CS27

6.3 Saved Policies of the Dacorum Borough Local Plan

Saved Appendix 3

Saved Appendix 5

Saved Appendix 7

7. Constraints

- SSSI IMPACT RISK ZONES
- RAILWAY (100M BUFFER)
- Right of Way
- Former Land Use
- CANAL RIVER TRUST PLANNING 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:

- Principle of Development
- Impact on Street Scene and Conservation Area
- Impact on Residential Amenity
- Car Parking and Access
- Contaminated Land
- Railway and Canal

Policy and Principle

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

Impact on Street Scene and Conservation Area

9.3 The extension would not be visible from the street and so would not have a detrimental impact on the street scene and surrounding area in accordance with Policies CS11 and CS12 of the Core Strategy (2013).

9.4 Conservation and Design have been consulted and overall it was considered that as the single storey extension was to the rear, discretely sited and of modest proportions the character of the conservation area would be preserved in accordance with Policy CS27 of the Core Strategy (2013). It was previously suggested that the proposed rear projection incorporated a pitched roof. However, due to concerns from the neighbouring property regarding potential light loss, it is considered the proposed flat roof is acceptable.

Impact on Residential Amenity

9.5 There have been concerns regarding potential light loss to the rear window of number 113 George Street. British Research Establishment Guidance states that if an extension is to breach a 45 degree line drawn of the centre of the nearest habitable window in *both* elevation and depth then light loss may occur. Whilst the extension would breach this angle in depth, it would not breach it in elevation.

9.6 Furthermore, the height of the existing fence is approximately 2m whereas the extension would measure approximately 2.6m in height. The increase in height of 0.6m would not lead to a significant loss of light beyond the existing situation, especially when taking into account the existing pitched roof of the outrigger.

9.7 It should also be noted that an infill extension has been constructed at number 177 and a number of other properties along the street have extended onto their existing outriggers. Thus, this type of development is established on the street.

9.8 Due to the above, it is considered the proposed extension would not have an adverse impact on the residential amenity of the adjacent properties in accordance with Policy CS12 of the Core Strategy (2013) and Saved Appendix 3 of the Local Plan (2004).

Car Parking and Access

9.9 No changes to the existing car parking and access arrangements are proposed and the application would not introduce a new bedroom into the property. As such, no objection is raised with regards to car parking provision and access

Contaminated Land

The scientific officer has been consulted on the application and has not recommended any conditions relating to contaminated land.

Railway and Canal Buffer

Network Rail have been consulted and have no comments to make on the application. With regards to the canal buffer, there is built development on the southern side of George Street and roads such as Little Bridge Road and William Street where development backs onto the canal. The proposed extension is minor in nature and at a distance where it would not have an impact on the Canal.

Rights of Way

The development would not impact upon the right of way to the rear of the site.

10. Conclusions

10.1 The application 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><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 carried out in accordance with the following approved plans/documents:</p> <p>20191.004 20191.005</p> <p><u>Reason:</u> 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><u>Reason:</u> To ensure a satisfactory appearance to the development in accordance with Policy CS12 of the Dacorum Core Strategy (2013).</p> <p><u>Article 35 Statement</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 proposed rear extension will fill the full width of the rear space resulting in the potential loss of light to the neighbouring property.

It is unclear from the drawings whether the 45° line is breached and the Committee requested clarification on this from the Planning Officer.

Appendix 3 (iv)

Conservation and Design:

115 George Street is a modest late 19th century terraced property of rendered brick construction fronting George Street and within the Berkhamsted Conservation Area. The rear of the property can be accessed via the access path which runs between the rear gardens of properties along George St and Ellesmere Rd but the rear is not all that publicly visible due to boundary treatments and planting etc.

The application proposes a flat roofed single storey extension which wraps around the shared single storey rear wing, there is no objection in principle to the scale of the extension. The flat roofed element to the side reflects that previously approved at no. 117 (the adjoining property) however, the way the flat roofed element then extends beyond the end of the rear wing is less successful in design terms. It was recommended this rear projection was amended to incorporate a pitched roof but it has been highlighted that this would be problematic in planning terms due to the increased level of light loss that would occur.

The proposed flat roof rear projection and the way it wraps around the rear wing is not ideal in design terms however, the single storey extension is to the rear, discretely sited and of modest proportions. On balance the proposal is considered to preserve the character and appearance of the Berkhamsted Conservation Area in accordance with policy CS27.

Network Rail:

Network Rail has no comments

Contaminated Land:

Having reviewed the application submission and the ECP records I am able to confirm that there is no objection on the grounds of land contamination. Also, there is no requirement for further contaminated land information to be provided, or for contaminated land planning conditions to be recommended in relation to this application.

Noise and Air Quality:

No objections on noise or air quality grounds.

Appendix B – Neighbour responses

Objections:

113 George Street:

I would like to draw your attention to the potential loss of light from this proposed application. My office is in the rear of my house and if using the image in " 3a CONTEXTUAL APPRAISAL Site Area Photographs" following the roof line from the extension at 117 to my property at 113 , it would result in a loss of considerable light..

Especially as, my property is LOWER than the 115/117 cottages.

I also draw your attention also to the '45-degree rule'

I hope this can come into consideration before granting this application.