

ITEM NUMBER: 5f

19/02908/FHA	Garden Office and Store Room	
Site Address:	9 Queens Road Berkhamsted Hertfordshire HP4 3HU	
Applicant/Agent:	Mr Pugh	
Case Officer:	Colin Lecart	
Parish/Ward:	Berkhamsted Town Council	Berkhamsted West
Referral to Committee:	Objection received from Berkhamsted Town Council	

1. RECOMMENDATION – That planning permission be GRANTED

2. SUMMARY

2.1 The proposal would not have an impact on the character of the surrounding area. Due to the depth of the rear gardens of the adjacent properties, it is considered the proposal would not have an adverse impact on residential amenity in terms of outlook, privacy and light. The property adjacent the rear boundary is orientated at 90 degrees to the site with no side facing windows that would look onto the development. As a result, the application is recommended for approval.

3. SITE DESCRIPTION

3.1 The application site comprises a two storey terraced dwelling located along Queens Road Berkhamsted.

4. PROPOSAL

4.1 The application seeks permission for the construction of an outbuilding in the rear garden comprising a garden office and store room.

5. PLANNING HISTORY

Planning Applications (If Any):

19/02958/FHA - Single Storey and Part two storey rear extensions

4/02708/18/LDP - Proposed double dormer loft conversion and associated Alterations.
REF - 18th February 2019

4/02837/14/FHA - Construction of orangery
GRA - 2nd December 2014

6. CONSTRAINTS

Parking Accessibility Zone (DBLP): 2

Area of Archaeological Significance: 21

CIL Zone: CIL1

Former Land Use (Risk Zone): Garage, High Street, Berkhamsted

Former Land Use (Risk Zone): Former Smithy, Queens Road, Berkhamsted

Former Land Use (Risk Zone): Former Warehouse, Belton Road, Berkhamsted

Former Land Use (Risk Zone): Former Diesel Tank, Queens Road, Berkhamsted

Former Land Use (Risk Zone): Former Saw Mill/Timber Yard, Stag Lane, Berkhamsted

Parish: Berkhamsted CP
RAF Halton and Chenies Zone: RAF HALTON: DOTTED BLACK ZONE
RAF Halton and Chenies Zone: Yellow (45.7m)
Residential Area (Town/Village): Residential Area in Town Village (Berkhamsted)
EA Source Protection Zone: 2
EA Source Protection Zone: 3
Town: Berkhamsted

7. REPRESENTATIONS

Consultation responses

7.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

8. PLANNING POLICIES

Relevant Policies:

CS4 - The Towns and Large Villages
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design

Saved Appendix 3
Saved Appendix 5
Saved Appendix 7

9. CONSIDERATIONS

Main Issues

9.1 The main issues to consider are:

The Principle of Development
The Impact on the character of the surrounding area
The impact on residential amenity
The impact on highway safety and car parking.

Principle of Development

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 Surrounding Area

9.3 Policies CS11 and CS12 of the Core Strategy (2013) are overarching design based principles that state development should integrate with the streetscape character of the area and adjoining properties.

9.4 The proposed outbuilding would not be visible from the street scene of Queens Road. The building would be visible from the rear from Gossoms Ryde, but it should be noted that this would

only be from the end of the pathway serving numbers 34 and 36. From the main street view of Gossoms Ryde, numbers 28-32 screen the rear gardens of the properties on Queens Road. Therefore, the building would only be visible from a relatively small segregated area on this road.

9.5 Furthermore, the building would largely be located behind the flank wall of number 36 and the ground level of the site's rear garden is approximately 1m below that of 36 Gossoms Ryde.

9.6 Character Appraisal BCA6 (Queens Road) states that curtilage buildings should not be positioned forward of the principle elevation in this area. There are no other requirements relating to curtilage buildings for this area within this guidance.

9.7 Due to the above, it is considered that the proposal would not have a detrimental impact on the character of the surrounding area; the development would not be visible from the public realm with the exception of the pathway serving 34 and 36 Gossoms Ryde.

Impact on Residential Amenity

9.8 Policy CS12 of the Core Strategy (2013) and Saved Appendix 3 of the Local Plan (2004) stated that development should respect residential amenity in terms of its impact on outlook, privacy and sunlight/daylight.

9.9 With respect to number 36 Gossom Ryde, this property is orientated at 90 degrees to the site and has no side facing windows that would look onto the development. The development would be set only marginally in front of this property's build line and not impact upon the habitable windows in terms of outlook or light (the front fenestrations are north facing). The building would also be positioned approximately 2.45m from the boundary and the site is based on a lower ground level (approximately 1m lower).

9.10 The building would not be located directly behind the rear of number 30 Gossoms Ryde and be located approximately 10 metres away from the rear fenestrations. Separation would be provided between the outbuilding and the property of number 36 Gossoms Ryde and outlook would be retained to the east and north. Thus, it is considered the development would not result in significant enclosure of number 30's rear garden.

9.11 With respect to numbers 11 and 7 Queens Road, the rear garden depth measures approximately 47m from the rear extension of number 11 (approximately 61m from the original rear elevation excluding outrigger) and 52m from the rear of number 9. As a result, it is considered the proposal would not have an adverse impact on the residential amenity of these properties in terms of light or outlook.

9.12 The building would be visible from the rear of the adjacent properties but due to the relatively long depth of the rear gardens, it would not overtly dominate the outlook from the rear fenestrations nor interrupt light levels. The building would measure 9.4m in depth and be positioned adjacent to the existing outbuildings of these properties. As such, the rear gardens of these properties would not suffer from significant enclosure.

9.13 A window would be located on the upper level of the proposed outbuilding. However, this would not serve a functional purpose other than storage. The submitted section plan shows a head height of 1.8m to the ridge with decreasing to 1.1m and less with the pitched roof. Therefore, the proposal would not result in overlooking though it should be noted the rear gardens of these properties are already overlooked from the first and second floors of the main properties.

Impact on Highway Safety and Parking

9.13 The application site does not benefit from off street parking provision. However, the outbuilding would not introduce a new bedroom onto the site and thus there is no requirement to provide further parking provision as a result of this application.

Contaminated Land

9.14 The scientific officer was consulted and there was no objection on the grounds of land contamination. No further information or conditions relating to contaminated land were requested.

Archaeology

9.15 The Historic Environment team at HCC were consulted on the proposal and no further information relating to underground heritage assets were required. The proposed development was considered small in size and would be positioned partly on ground that has already been disrupted by the construction of the existing building.

10. CONCLUSION

10.1 The application is recommended for approval. The outbuilding would largely not be visible from the surrounding except from the pathway leading to numbers 34 and 36 Gossoms Ryde. Number 36 Gossoms Ryde is orientated at 90 degrees from the site with no side facing windows. Due to the garden depths of numbers 9 and 11 Queens Road, the proposal would not have a significant impact in terms of loss of outlook, privacy or light.

11. RECOMMENDATION

11.1 That planning permission be **GRANTED** subject to the following conditions:

Conditions:

1. The development hereby permitted shall begin before the expiration of three years from the date of this permission.

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.

2. The development hereby permitted shall be carried out in accordance with the following approved plans/documents:

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17A

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Application form (section 5 - materials)

Reason: For the avoidance of doubt and in the interests of proper planning.

Informatives:

1. 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.

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Archaeology Unit (HCC)	<p>The proposed development is small in size and will be partly on ground that has already been disturbed by the construction of the existing building.</p> <p>In this instance, therefore, 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.</p>
Local Parish	<p>Objection</p> <p>At almost five metres high, this proposed building's scale, height, mass and proximity would result in loss of amenity to the adjacent number 36 Gossoms Ryde.</p> <p>CS12</p>
Environmental And Community Protection (DBC)	<p>Having reviewed the application submission and the ECP Team 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.</p>

APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
6	1	0	1	0

Neighbour Responses

Address	Comments
1.	Objections regarding planning applications 19/02958/FHA and 19/02908/FHA in relation to 9 Queens Road. We believe all live applications should be considered together due to their scale both

individually and impact in aggregate along with the recently completed double dormer.

We object to the plans submitted on the basis that any new development should avoid loss of sunlight and daylight and respect adjoining properties in terms of layout, site coverage, scale, height, bulk and amenity space.

Bringing the side elevation of the extension so close to the boundary and filling the side return will have an overbearing impact on our amenity with the kitchen and dining room windows/doors being most effected in terms of light, outlook and dominating impact. In addition a blank wall over this distance this close to the boundary is overly oppressive.

The extension is wider, higher and longer than others which are single storey. The first floor rear extension extends beyond the existing rear elevation and would reduce the outlook from our first floor window. The overall impact would be overbearing and it would reduce natural daylight and sunlight.

The garden building is unprecedented in scale, mass, height and design and is intrusive. A wall of this length and height will have a dominating impact on our garden whilst the windows on the upper level impact our privacy. It is understood the building will be used to run a business including storing stock.

We don't object to the principle of a garden office or extension, but the scale and close proximity of these plans to #11 would have a material and detrimental impact on our property. As well as the impact on our property they could set a precedent permanently changing the character of this row of period terraces and gardens built early 1900s.