

ITEM NUMBER 5b:

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|------------------------|--|------------------|
| 4/02120/19/ROC | Variation of condition 2 (approved plans) attached to planning permission 4/01142/17/fha (single storey side and rear extensions, replacement of garage, internal alterations and loft conversion) | |
| Site Address: | 2 North Road Berkhamsted HP4 3DU | |
| Applicant: | Mr Russell | |
| Case Officer: | Sally Robbins | |
| Parish/Ward: | Berkhamsted Town Council | Berkhamsted East |
| Referral to Committee: | Contrary view of Town Council | |

1. RECOMMENDATION

1.1 That planning permission be **GRANTED** subject to the suggested conditions.

2. SUMMARY

2.1 The proposed development is acceptable in principle, noting the site's location within a designated residential area within Berkhamsted. The proposed amendments to the approved scheme will not have a significant detrimental impact upon the character and appearance of the existing dwelling or the surrounding area. The sympathetic design, form and scale of the proposed development will conserve the character of Berkhamsted Conservation Area and will not have an adverse impact on the residential amenity of surrounding neighbouring properties.

2.2 The proposed amendments to the approved scheme will continue to accord Policies CS4, CS11, CS12 and CS27 of the Dacorum Core Strategy (2013), Saved Policy 120 and Appendices 3, 5 and 7 of the Dacorum Borough Local Plan (2004) and the NPPF (2019).

3. SITE DESCRIPTION

3.1 The application site is located to the west side of North Road, Berkhamsted. The site comprises of a two-storey early 20th century semi-detached dwellinghouse, which falls within Berkhamsted Conservation Area.

3.2 The surrounding area is predominately characterised by late 19th century and early 20th century semi-detached and terraced properties of relatively uniform architectural style, size, height and build line.

4. PROPOSAL

4.1 The application seeks to vary Condition 2 (Approved Plans) of planning permission ref. 4/01142/17/FHA (Single storey side and rear extensions, replacement of garage, internal alterations and loft conversion).

4.2 The amendments consist of the following:

- Scale and form of dormer windows changed (0.15m wider and flat roof instead of gable-end)
- Single storey rear extension reduced in height by 0.2m
- Railings to rear of outbuilding changed to glass balustrade

5. PLANNING HISTORY

Planning Applications (If Any):

4/02137/18/ROC - Variation of condition 2 (approved plans) attached to planning permission
4/01142/17/fha (demolition of existing single storey side extension and construction of new single
storey side extension.)

REF - 18th December 2018

4/01142/17/FHA - Single storey side and rear extensions, replacement of garage, internal
alterations and loft conversion

GRA - 3rd July 2017

4/01961/97/FHA - Conservatory

GRA - 6th February 1998

Appeals (If Any):

4/02137/18/ROC – Development Appeal

- 29th July 2019

6. CONSTRAINTS

A152 - 15.2m Air Dir Limit

CIL1 - Community Infrastructure Levy - Zone 1

CONS - Conservation Area

HDBZ - Halton Dotted Black

SIRZ - SSSI Impact Risk Zones

SPZ - Source Protection Zone

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

Main Documents:

National Planning Policy Framework (February 2019)

Dacorum Borough Core Strategy 2006-2031 (adopted September 2013)

Dacorum Borough Local Plan 1999-2011 (adopted April 2004)

Relevant Policies:

NP1 - Supporting Development

CS1 - Distribution of Development

CS4 - The Towns and Large Villages

CS10 - Quality of Settlement Design

CS11 - Quality of Neighbourhood Design

CS12 - Quality of Site Design

CS27 - Quality of the Historic Environment

CS29 - Sustainable Design and Construction

Supplementary Planning Guidance/Documents:

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

Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice (2011)

9. CONSIDERATIONS

Main Issues

9.1 The main issues to consider are:

The policy and principle justification for the proposal
The quality of design and impact on Conservation Area
The impact on residential amenity
The impact on car parking.

Principle of Development

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

9.3 The application site also falls within Berkhamsted Conservation Area where development is expected to positively preserve and enhance the established character and appearance of the area in accordance with Core Strategy Policy CS27, Saved Policy 120 of the Local Plan and Section 16 of the NPPF (2019).

9.4 The principle of the general design, form and scale of the development has been established in the approved scheme (ref. 4/01142/17/FHA). Therefore the below assessment will focus on the three amendments listed above.

Quality of Design / Impact on Conservation Area

9.5 There are no concerns regarding the reduction in height of the single storey rear extension. The form and proportions of the single storey rear extension continue to respect the existing dwelling and will have limited impact on the character of the surrounding area.

9.6 Similarly, there are no concerns regarding the glass balustrade to the rear of the detached outbuilding. This alteration is considered to be minor and will not detrimentally impact upon the visual amenity of the area.

9.7 The alterations to the dormer windows have caused some concern, notably Berkhamsted Town Council has objected on the grounds that the dormer windows are 'unsympathetic and out of keeping with this Conservation Area setting'.

9.8 The Council's Conservation and Design Officer also raised concerns with respect to the dormer windows (as constructed). As a result, the applicant has corresponded and co-operated with the Conservation and Design Officer to produce a scheme that is acceptable from a Conservation & Design perspective. In summary, the amended plans show that the dormer windows would be reduced in width by 200mm, reduced in height by 50mm, windows changed to casement (rather than sash) windows and the flat roof, dormer cheeks and window surrounds would be clad in lead. The applicant also provided further supporting information in the form of a 1:20 scale drawing of the dormer windows. The Conservation and Design Officer considers that the amended proposal for the dormer windows is acceptable.

9.9 Taking all of the above into account, it is considered that the proposed amendments to the approved scheme will not have a detrimental impact upon the character and appearance of the surrounding area and will preserve the character of the Conservation Area. The proposal complies with Saved Appendices 3 and 7 and Policy 120 of the Dacorum Local Plan (2004), Policies CS11, CS12 and CS27 of the Core Strategy (2013) and the NPPF (2019).

Planning (Listed Buildings and Conservation Areas) Act 1990

9.10 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas. Given the above assessment, it is considered that the proposed development preserves the character and appearance of Berkhamsted Conservation Area, to comply with Section 72 of the Act.

Impact on Residential Amenity

9.11 There are no concerns regarding the impact of the proposed development on the residential amenity of surrounding properties. This was considered as part of the approved scheme and found to be acceptable. No changes are proposed that would alter that assessment. The proposal continues to comply with the NPPF (2019), Saved Appendix 3 of the Local Plan (2004) and Policy CS12 of the Core Strategy (2013) with respect to residential amenity.

Impact on Car Parking

9.12 This has also been assessed as part of the approved scheme and found to be acceptable. In summary, as a result of the proposed development the number of bedrooms would increase from four to five, which would not require an increase in off street parking. Furthermore, the application site would retain off-street parking provision for two vehicles.

Other Material Planning Considerations

9.13 None

Response to Neighbour Comments

9.14 These points have been addressed above.

Community Infrastructure Levy (CIL)

9.15 Policy CS35 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 the 1st July 2015. This application is not CIL Liable due to resulting in less than 100 sqm of additional residential floor space.

10. CONCLUSION

10.1 The proposed amendments to the approved scheme (ref. 4/01142/17/FHA) through design, scale and finish will not adversely impact upon the visual amenity of the existing dwelling, immediate street scene, Conservation Area or the residential amenity of neighbouring occupants. The proposal is therefore in accordance with Saved Appendices 3 and 7 of the Dacorum Local Plan (2004), Policies CS11, CS12 and CS27 of the Core Strategy (2013) and the NPPF (2019).

11. RECOMMENDATION

11.1 That planning permission be **GRANTED** subject to the suggested 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. Within 6 months of the date of this permission details of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenities of the Conservation Area, in accordance with Policies CS12 and CS27 of the Core Strategy (2013).

3. The bathroom window at second floor level in the side elevation of the loft conversion hereby permitted shall be permanently fitted with obscured glass and non-opening below a height of 1.7m from floor level.

Reason: In the interests of the residential amenities of the occupants of the adjacent dwellings and application site, in accordance with Policy CS12 of the Core Strategy (2013).

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

DD 17 / 053.2E
DD 17 / 053.6

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

Informatives:

1. 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) (Amendment No. 2) Order 2015.

APPENDIX A: CONSULTEE RESPONSES

| Consultee | Comments |
|--------------------------|---|
| Berkhamsted Town Council | Decision: Objection, 'The proposed structure is not in keeping with other dormers in the area. The proposal improves the adverse effect but fails to address its shortcomings. The materials and execution should conform with Conservation Area practice. CS12, P120.' |

Conservation & Design
(DBC)

03/10/2019:

Conservation are concerned regarding the width of the dormers on the rear wing in particular and the flat roof proposed only serves to make their width and non-traditional proportions even more obvious.

Before coming to a decision on this, it is recommended the plans are considered / amended as follows:

Is there any way of reducing the width of the dormers?

The dormers should be shown entirely lead clad, to tops and sides. This would entail removing the tile cladding to the sides. This could result in a more cohesive, low key visual appearance and perhaps reduce their overall bulk. No bargeboards or fascia's would be required.

It is suggested the sashes are changed to white casements, which would better suit the proportions of the proposed dormers, which are wider than previously approved.

Seeing an example dormer with cross-section through at 1:20 scale would be helpful.

Conservation will consider this further once amended / further plans have been submitted. Otherwise, it may be that the only option is to build the dormers as per the approved plans.

09/10/2019:

The dormers shown on plan are larger and differ in proportion to what they currently have / propose so I'm not sure how the dormer design would transfer however, I appreciate that efforts are being made to look at the surrounding dormer design / detailing.

I still think a lead clad dormer may look less visually intrusive on the roofs of the rear wing however, I will reserve judgement until some more detailed 1: 20 scale drawings have been submitted.

17/10/2019:

I think the removal of tile cladding to the sides and replacement with lead, along with the lead roof (no fascia) with all leadwork dressed traditionally will go same way towards improving the appearance of the dormers and reduce their width by approx. 200mm. The casements work better with the proportions of the dormer.

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| | <p>It may still be advisable for the architect to include a 1:20 scale drawing of one of the dormers, showing details of the leadwork and the window casement design.</p> <p>24/10/2019:</p> <p>Thanks for the dormer section, this seems fine - a similar 1:20 drawing showing the exterior of the dormer from the front would be helpful in support of the amended plans.</p> <p>In terms of materials, if the zinc cladding has the same external appearance as lead it should be acceptable (a link to a website or similar showing example of zinc cladding to be used would be useful / a zinc clad dormer). Similarly, composite windows should be acceptable; an example of the type of composite window to be installed would be helpful.</p> <p>06/11/2019:</p> <p>Thanks for the details of the windows and zinc cladding, both are considered acceptable.</p> <p>I would advise the dormers should be fully zinc clad (to roof and cheeks) and the tile hanging to the dormer cheeks removed, the reason for this is to create less bulky dormers of a cohesive design.</p> |
| <p>Conservation & Design (DBC)</p> | <p>2 North Road is a semi-detached early 20th century property within the Berkhamsted Conservation Area. The property is of red brick construction with a projecting gabled bay and shared rear wing. It retains its characteristic 12-over-1 sashes to the front elevation, which contribute greatly to its character. It is in a prominent position and its side and rear elevation are visible from the Charles Street / North Road junction.</p> <p>The current application is for variation of approved plans. The roof dormers were not built in accordance with the approved plans and a subsequent application to retain the altered dormer design / scale was refused and then dismissed at planning appeal. The inspector raised issues regarding the increased width of the dormer, their low pitch gables, proportions and the differing fenestration (dark coloured windows of non-traditional design).</p> |

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| | <p>The applicants now propose altering the dormers by removing the existing gable roofs to give flat roof dormers which would be clad in lead to give them a simple, less bulky design and appearance. The windows would be white painted casements. Planning permission has been granted for lead clad dormers of this type with both sash windows and casements within the Berkhamsted Conservation Area in recent years.</p> <p>Whilst the dormers do not have the traditional gabled form that was originally proposed and the casements do not match the sashes on the existing property, the proposed dormers will be more discrete in terms of their design, scale and material appearance and are considered to be of sufficiently good design and proportion to preserve the character and appearance of the property and the Berkhamsted Conservation Area. Recommend approval.</p> |
| Local Parish | <p>Objection</p> <p>Comments made by the Case Officer in December 2018 apply to the current application. The proposals fail to address previous objections as they are unsympathetic and out of keeping with this Conservation Area setting.</p> <p>Policy CS27; Policy 120; CS12.</p> |

APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

| Neighbour Consultations | Contributors | Neutral | Objections | Support |
|-------------------------|--------------|---------|------------|---------|
| 10 | 0 | 0 | 3 | 0 |

Neighbour Responses

| Address | Comments |
|--|---|
| 3 North Road Berkhamsted HP4 3DU | |
| 37 North Road Berkhamsted Hertfordshire HP4 3DU | <p>2 North Road Berkhamsted HP4 3DU: Comments on Revised Planning Application dated 4.09.2019 Ref Drawing DD 17/053 Rev E dated 30.08.2019</p> <p>The revised drawings give outline details of retrospective changes to the 3 no. dormer windows to the rear.</p> |

I welcome the proposal to reduce the awkward bulk and sombre appearance of the dormers. In particular the proposal to revert to a flat roof design will reduce their mass and is consistent with typical dormer windows of the house's era. The introduction of a white painted finish to the front face would lighten their appearance - although, to satisfy the expectations within a Conservation Area what's needed is a properly detailed painted timber fascia, which is not specified here.

It is not clear what is proposed for the side cheeks although in my view retaining the slate as currently installed would be quite acceptable.

I am assuming the windows as installed will be replaced, and I think this is needed for two reasons: firstly the revised are described as white composite, which I take to mean white powder coated aluminium sections externally with painted timber internally; and secondly, the proportions of the current sashes are at odds with the character of the Conservation Area. The description of the window surrounds is, one suspects, deliberately vague ("white composite cladding surrounding the windows" and "white barge boards") - the implication here is that we're in for an outbreak of uPVC bits and pieces, which are anathema to the spirit of the Conservation Area.

As ever, the devil is in the detail, and I urge the owner's designers to make more specific and detailed proposals to allow the Conservation Officer to agree in advance the materials and relevant details to avoid any future disagreement.

27 September 2019

I attached the comments below to this website on 27 Sep but I can see no reference to their having been received. Please ensure the following comments from me are recognised and acknowledged:

2 North Road Berkhamsted HP4 3DU:

Comments on Revised Planning Application dated 4.09.2019

Ref Drawing DD 17/053 Rev E dated 30.08.2019

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| <p>47 Charles Street Berkhamsted HP4 3DH</p> | <p>The application now shows dormer roofs changed from pitched to flat with the existing width maintained. The roof proposed is an improvement and matches the dormer windows in the surrounding properties, which have similar proportions.</p> <p>The material of the roof is now described as fibreglass 'to match the roof tiles' which are dark brown. To be sympathetic to the area the roof material should 'match to lead'.</p> <p>Furthermore, the windows are now described as 'painted white composite sash that are full width of the dormers'. They are currently not full width and the fact the application states they are 'white painted composite' strongly suggests that the existing black windows are to be maintained.</p> <p>This is not sympathetic with the other Edwardian dormer windows in surrounding properties and is inappropriate in both proportion and detail</p> |
| <p>Stonycroft 9 Shrublands Road Berkhamsted HP4 3HY</p> | <p>I write on behalf of the BCA Townscape Group of which I am Chairman. The Group continues to object to the variation proposed in order to meet the criticisms of the Appeal decision. The aim should be to create the dormers specified in the original permission, which are sympathetic in proportion and detail to the surrounding Edwardian dormer windows. The windows should be replaced to mirror the general look of the dormers at 1, 37 & 38 North Road and 45 & 47 Charles Street, which overlook 2 North Road.</p> |