

**ITEM NUMBER: 5h**

<b>20/00524/FHA</b>	<b>Proposed ground floor rear and side infill extension, floor plan redesign and all associated works.</b>	
<b>Site Address:</b>	<b>7 Queens Road Berkhamsted Hertfordshire HP4 3HU</b>	
<b>Applicant/Agent:</b>	<b>Mr Ochoa</b>	
<b>Case Officer:</b>	<b>Colin Lecart</b>	
<b>Parish/Ward:</b>	<b>Berkhamsted Town Council</b>	<b>Berkhamsted West</b>
<b>Referral to Committee:</b>	<b>Objection received from Berkhamsted Town Council</b>	

**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 so it would not have a detrimental impact on the character of the surrounding area. As a result of the positioning of the extension and the orientation of the site, the proposal would not have a detrimental impact upon the light received by number 5 beyond the existing situation caused by the original build lines of number 7. In terms of outlook, the eaves height of the extension would be a minor increase upon the existing boundary fence, with the pitched roof above this sloping away from the boundary with number 5. It is considered number 5 would not suffer from a considerable sense of enclosure above the existing situation. The effects on light and outlook have been demonstrated by a sunlight/outlook assessment that has been submitted in support of the application.

**3. SITE DESCRIPTION**

3.1 The application site comprises a two storey terraced property located along Queens Road, Berkhamsted. Queens Road is a residential road, typically comprising terraced dwellings and it is outside the Berkhamsted Conservation Area.

**4. PROPOSAL**

4.1 The application seeks permission for the construction of a proposed ground floor rear and side infill extension, floor plan redesign and all associated works.

**5. PLANNING HISTORY**

Planning Applications (If Any):

20/00523/LDP - Proposed loft conversion with L shape dormer, floor plan redesign and all associated works.

*GRA - 24th April 2020*

4/02291/06/FHA - Single storey rear extension

*GRA - 1st December 2006*

Appeals (If Any):

**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**

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

Saved Appendix 3 – Layout and Design of Residential Areas

Saved Appendix 5 – Car Parking Provision

Saved Appendix 7 – Small-scale House Extensions

## **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 visual amenity;

The impact on residential amenity; and

The impact on highway safety and car parking.

### Principle of Development

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 Surrounding Area

9.3 The proposal is for a ground floor infill extension to the rear and side of an existing outrigger on the property. The works would be located towards the rear of the site and not be visible from the surrounding area.

### Impact on Residential Amenity

9.4 The extension would extend to the boundary with number 5 and so this would be the property most effected by the works. A number of windows on number 5 would face onto the extension; a rear window on the main property (not on the outrigger) which serves a lounge area, a side facing kitchen window, and another side facing window that serves the rearmost lounge which is served by another rear facing window.

9.5 It is considered that due to the orientation of the site and the single storey nature of the extension that the proposal would not have a significant impact on light received by number 5 above the existing two storey property of the site. The proposal also maintains room for a light well along part of the boundary.

9.6 A sunlight study has been submitted to show the potential impact on sunlight to number 5. It should be noted that the study mainly focuses on late afternoon sunlight as due to the orientation of the site, this is when sunlight is most likely to be impacted on. This study shows there is no impact on sunlight during the winter. Spring and autumn show a small increase in shade but this only appears on the brick wall of the outrigger of number 5 and does not interfere with any windows beyond the existing situation. In summer, there is a marginal increase in shade cast on the wall of number 5 and the kitchen window but it should be noted that the area effected would be the lower part of the window which would still receive full sunlight at 12pm during the summer solstice.

9.7 In terms of outlook, number 5 is based on a slightly lower ground level than number 7. As such, the extension when viewed from number 5 would appear to be 2.34m in height to the eaves, with the pitched roof above this sloping away from the boundary. The height of the existing boundary fencing is staggered, being approximately 2m in height where the windows of number 5 would face onto the extension, dropping to approximately 1.8m further along the rear gardens.

9.8 Therefore, the extension would represent an increase of 0.34m to the eaves above the existing fence height. The pitched roof would have a minimal impact above this as it would slope away from the boundary and this has been represented in a 3D modelling analysis submitted by the agent. At its highest point of 3.51m, the ridge of the pitched roof would be 2.5m away from the boundary

9.9 In addition to the above, the rear window on the main property of number 5 serves a room which is dual aspect (also served by a window to the front of the property). The side facing lounge window on the rear extension is also a secondary window, with the room being served by the rear window as well. The kitchen window faces onto existing trellis and hedging which would be maintained by the light well left between the properties by the proposal.

9.10 The proposed extension would not extend beyond the existing rear extension of number 7. It would be drawn to the boundary but not breach a 45 degree line when drawn from the centre of the rear window of number 5's rear extension.

9.11 As a result, it is considered the proposal would not have a significant impact on number 5 in terms of light and outlook.

Impact on Highway Safety and Parking

9.5 The property does not currently maintain any private parking provision. However, the proposal would not introduce a new bedroom into the property and so no increased pressure on the existing on street parking would occur as a result of the application.

**10. CONCLUSION**

10.1 The extension would not be visible from the surrounding area. In terms of light, the extension would not have a significant impact on number 5 above the existing situation. This has been shown by a sun study submitted by the agent. In terms of outlook, the eaves height of the extension would represent an increase of 0.34m above the existing 2m portion of the fence line which the fenestrations of number 5 look onto. The pitched roof above this would slope away from the boundary. Also, two of the three windows on number 5 that would face the development serve dual aspect rooms. The third fenestration, a kitchen window, looks out onto existing trellis and hedging which would be maintained by the light well left between the properties post development.

**11. RECOMMENDATION**

11.1 That planning permission be granted.

<b>Case Officer Check List</b>	<b>Officer Check/Comments</b>
Has the consultation letter/site notice/advert period expired?	Y
Was a site notice posted and if so, was the date entered into Uniform?	N
Is the Article 35 Statement included?	Y
Is the CIL box ticked/un-ticked in Uniform?	Ticked
Are all plans, documents, site photographs and emails saved to DMS?	Y
If applicable, please give the reason why the application is overtime.	Committee item
Does the application involve the demolition of any buildings that are currently in use?	N
Is there a Legal Agreement?	N
Has the Uniform Legal Agreement box been filled in?	
Is a copy of the agreement on DMS (both redacted and non-redacted versions)? Has the agreement been published on the website?	

**Condition(s) and Reason(s):**

- 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.

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

103-01  
 104-01  
 203-01  
 204-01  
 302-01  
 401-01 A

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

3. **The materials to be used in the construction of the external surfaces of the development hereby permitted shall match the existing building in terms of size, colour and texture.**

Reason: To make sure that the appearance of the building is suitable and that it contributes to the character of the area in accordance with Policies CS11 and CS12 of the Dacorum Borough Core Strategy (2013).

#### APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Archaeology Unit (HCC)	<p>Thank you for consulting me on the above application.</p> <p>In this instance I consider that the development is unlikely to have a significant impact on heritage assets of archaeological interest, and I therefore have no comment to make upon the proposal.</p>
Local Parish	<p>The extensive changes at ground floor will affect adjacent neighbours' 45 degree line, and will introduce a looming structure to the rear of No 5 with loss of amenity.</p> <p>Object</p> <p>CS12          The extensive changes at ground floor will affect adjacent neighbours' 45 degree line, and will introduce a looming structure to the rear of No 5 with loss of amenity.</p> <p>Objection</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
8	1	0	1	0

### Neighbour Responses

Address	Comments
5 Queens Road Berkhamsted Hertfordshire HP4 3HU	<p>We object to the current proposal because we have some concerns about the potential impact on the loss of natural light and visual amenity.</p> <p>Due to the fact that many of our windows are only on the side of our house facing number 7, the design will reduce our only source of natural light in several sections of our home.</p> <p>Similarly, due to the proximity of the development to our house and boundary we also have concerns about the visual impact from windows facing the proposed extension.</p>