

**ITEM NUMBER: 5b**

<b>20/00771/FHA</b>	<b>Two storey side and rear extensions and new front porch</b>	
<b>Site Address:</b>	<b>Autumn Tints 4 Rambling Way Potten End Berkhamsted Hertfordshire HP4 2SE</b>	
<b>Applicant/Agent:</b>	<b>Mr &amp; Mrs D O'Keefe / Mr Rowe</b>	
<b>Case Officer:</b>	<b>Elsbeth Palmer</b>	
<b>Parish/Ward:</b>	<b>Nettleden With Potten End Parish Council</b>	<b>Ashridge</b>
<b>Referral to Committee:</b>	<b>Due to applicant being a DBC employee.</b>	

**1. RECOMMENDATION**

That planning permission be granted.

**2. SUMMARY**

- 2.1 The application seeks permission for a householder extension to a dwelling within a Small Village in the Green Belt, Potten End. House extensions are permitted subject to being in accordance with CS 6 of the Core Strategy. The development does not result in a loss of character within the street scene or a loss of amenity for the immediate neighbours. The provision of two parking spaces for the proposed 4 bedroom dwelling is considered acceptable.

**3. SITE DESCRIPTION**

- 3.1 The site is located on the southern side of Rambling Way within the village of Potten End. The site comprises a small bungalow with attached garage and vehicular access from the road. There is adequate driveway space for at least 3 vehicles to park off street.

**4. PROPOSAL**

- 4.1 The proposed development is for a two storey side, two storey rear extension and new front porch. The proposal will include two large dormers to the front elevation and a medium sized dormer to the side elevation facing north-east towards the neighbour "Kenjoy".
- 4.2 Amended plans were requested to correct an inconsistency within the plans and the agent added another velux window.

**5. PLANNING HISTORY**

None.

**6. CONSTRAINTS**

Parking Accessibility Zone (DBLP): 4

Special Control for Advertisements: Advert Spec Contr

CIL Zone: CIL1

Former Land Use (Risk Zone): Old Clay Pits, Rambling Way, Potten End

Former Land Use (Risk Zone): Former Brickworks, The Laurels, Potten End

Former Land Use (Risk Zone): Former Garage, Water End Road, Potten End

Former Land Use (Risk Zone): Former Saw Mills, Water End Road, Potten End

Green Belt: Policy: CS5

Parish: Nettleden with Potten End CP

RAF Halton and Chenies Zone: Red (10.7m)  
Small Village  
EA Source Protection Zone: 3

## **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  
CS6 - Selected Small Villages in the Green Belt  
CS10 - Quality of Settlement Design  
CS11 - Quality of Neighbourhood Design  
CS12 - Quality of Site Design  
CS29 - Sustainable Design and Construction

Supplementary Planning Guidance/Documents:

Accessibility Zones for the Application of Car Parking Standards (2002)  
Planning Obligations (2011)  
Roads in Hertfordshire, Highway Design Guide 3rd Edition (2011)  
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 visual amenity;  
The impact on residential amenity; and  
The impact on highway safety and car parking.

### Principle of Development

9.2 Para 130 of the NPPF states:

“where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.”

- 9.3 Core Strategy (2013) Policy 6: Selected Small Villages in the Green Belt states that house extensions will be permitted.

“Each development must:

- i. be sympathetic to its surroundings, including the adjoining countryside, in terms of local character, design, scale, landscaping and visual impact; and
- ii. retain and protect features essential to the character and appearance of the village.”

- 9.4 Core Strategy (2013) Policies CS11 and CS12 state that development within settlements should respect surrounding properties, avoid visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to the surrounding properties and integrate with the streetscape character.

- 9.5 The main issues of relevance to the consideration of this application relate to the impact of the proposed two storey side and rear extensions on the character and appearance of the existing building, street scene and residential amenity of surrounding properties.

#### Quality of Design / Impact on Visual Amenity

- 9.6 Rambling Way is made up of two areas. The one within which the site is located runs parallel with Water End Road and is heavily screened from the main road by thick vegetation. The residential character of this area is predominantly bungalows some with loft conversions and others still in their original bungalow form. The loft conversions vary from small box dormers set well in from the flank elevations to roof slopes with larger pitched roof dormers.
- 9.7 At the western end of Rambling Way near to the access to Water End Road the demolition of the existing bungalow and construction of a contemporary designed wooden dwelling with large windows was approved under planning application 4/00160/19/FUL on 22.5.2019. This building “Thimbles” is currently under construction.
- 9.8 The immediate neighbour to Thimbles, "Orchard House" had been significantly changed with large front and rear dormers.
- 9.9 The character along the part of Rambling Way (Upper Rambling Way) that runs south and forms a cul-de-sac is predominantly large two storey dwellings some with mock Tudor features, attached and detached garages to the front and side of the dwellings and approx. three bungalows – two of these closer to Water End Road.
- 9.10 The proposed extensions would significantly alter the character and appearance of the original dwelling. The original bungalow is small in scale with traditional simple design. The proposed scheme is modern with larger features and will be filling in the area above the existing garage. The ridge height will not be increasing in height but the overall appearance of the proposed development will be a building of greater scale and bulk.
- 9.11 The proposed materials will be different to those of the existing dwelling but the proposed white render and reconstituted slate tiles will be in character with the surrounding area. There are many dwellings with white render along Rambling Way.
- 9.12 Overall, it is considered that the proposed extensions would significantly alter the appearance of the host dwelling. However there is a wide range of character along Rambling

Way and within the village as a whole. Also the dwelling is not a Listed Building and it's not located within a Conservation Area. As such, the proposal will not have a detrimental impact on the character and appearance of the area, in accordance with the NPPF (2019), Saved Appendix 7 of the Dacorum Local Plan (2004), Policy CS12 of the Core Strategy (2013).

#### Impact on Residential Amenity

##### Kenjoy – neighbour to the east

- 9.13 There is only one obscure glazed glass door in the side elevation facing Autumn Tints and the proposed scheme will align with the rear elevation of this dwelling. Based on this it is not considered that there will be a significant loss of sunlight and daylight as a result of the proposal.
- 9.14 In terms of overlooking there will be one dormer window facing this dwelling. This dormer window, which serves a bathroom, could be obscure glazed and top hung to remove any possible overlooking. It is recommended that this be a condition of any approval.

##### The Paddock – neighbour to the west

##### Sunlight and daylight

- 9.15 Saved Appendix 3 of the Dacorum Borough Local Plan 1991-2011 states that “Residential development should be designed and positioned in such a way that a satisfactory level of sunlight and daylight is maintained for existing and proposed dwellings. Significant overshadowing should be avoided (see the Building Research Establishment’s report “Site Layout Planning for Daylight and Sunlight” 1991).
- 9.16 Core Strategy Policy 12 states that “on each site development should: avoid visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to the surrounding properties.”
- 9.17 The side elevation of “The Paddock” facing the subject site has 4 windows – 3 of which serve a lobby and/or bathroom. The main window of concern is a bedroom window which is the sole source of light for this room.
- 9.18 The proposed two storey rear extension will project back from the existing rear dormer by 5.5 metres at a height of 5.9 metres. The rear roof slope is pitched away from the side boundary. The window will be approx. 4.5 metres from the side elevation of the proposed development. There is a single storey detached garage located to the rear/side of “The Paddock”.
- 9.19 A 25 degree test was completed to establish the effect the proposed building will have on “The Paddock” with regards to obstructing daylight to the existing windows/rooms. This test is usually carried out when the proposed building is opposite the existing building. The 25 degree test has been done for the existing situation and the proposed. The test shows that the window currently suffers from a loss of sunlight and daylight as a result of the existing bungalow. The test also shows that this will remain if the proposed scheme is built.
- 9.20 A solar study was prepared by the agent which shows that shadowing would not be significant despite the loss of some morning sunlight in the summer months. This study does not however show the impact on the internal space ie. the % of light lost for this habitable room which has only one primary window.
- 9.21 In order to assess the impact of the rear extension on this bedroom the neighbour was asked to send photos from within the bedroom looking out showing morning and evening shots at a

range of 180 degrees. The room already overlooks the side elevation of “Autumn Tints” and their own single storey garage. The room also has a wardrobe on either side of the window reducing the useable area close to the window. These photos demonstrate that the proposal will not be overbearing or visually intrusive for this room. There will be some loss of sunlight in the summer months but this will not be significant. Based on the above it is considered that the proposal complies with Saved Appendix 3 and Policy 12 c) of the Core Strategy 2013.

### Overlooking

9.22 The proposed scheme has 4 small velux windows in the elevation facing this neighbour. These windows will need to be obscure glazed and non-opening to remove any possible overlooking. It is recommended that a condition be placed on any approval granted to ensure that there is no overlooking.

### Impact on Highway Safety and Parking

9.23 There are no changes proposed to the existing access.

9.24 Policy CS12 of the Core Strategy seeks to ensure that developments have sufficient parking provision. Paragraph 105 of the NPPF (2019) states that if setting local parking standards authorities should take into account the accessibility of the development, the type, mix and use of the development, availability of public transport, local car ownership levels and the overall need to reduce the use of high emission vehicles. Policy CS8 of the Core Strategy and Saved Appendix 5 of the Local Plan promote an assessment based upon maximum parking standards. As such, each application is assessed on its own merits.

9.25 The Council’s Parking Standards within Saved Appendix 5 of the Local Plan requires 3 off street parking spaces for a 4 bed dwelling in this location (Residential Zone 4 as defined in Dacorum Borough’s Supplementary Planning Guidance “Accessibility Zones for the Designation of Car Parking Standards”).

9.26 The submitted floor plans show that there would be an increase in the number of bedrooms from 2 to 4, which would result in an increase in parking requirement. Car parking for 2 vehicles would be retained on the existing driveway. One space would be lost as a result of the loss of the garage.

9.27 There are no parking restrictions evident on Rambling Way with room to park adjacent to the vegetation which screens the dwellings from Water End Road and also the width of Upper Rambling Way allows for cars to park on both sides of the road. There would be room within the site for the parking of an additional vehicle but it would be in a tandem style.

9.28 Taking all of the above into account, it is not considered that the proposal would detrimentally impact upon local parking provision. Therefore, the proposal meets the requirements of Policy CS12 of the Core Strategy and Saved Appendix 5 of the Local Plan.

### Ecology

9.29 As the proposal includes significant changes to the existing roof a Preliminary Bat Roost Assessment was requested and has been submitted.

9.30 This assessment stated the following:

- the building “provides low habitat value for roosting bats, with minor features present externally that could support low numbers of common crevice dwelling species. A

single bat emergence or re-entry survey is required during the optimal bat season (mid-May to August) to confirm the presence or likely absence of roosting bats.”

- the building “contains evidence of roof nesting birds, and a bird box is also present on the side of the garage. Works affecting the roof of the building or bird box should take place outside of the period 1st March – 31st August to avoid impacts on nesting birds. If this is not possible, a nesting bird check should take place immediately prior to works commencing, with active nests retained until the young have fledged.”

9.31 A Bat Emergence and Re-entrance Survey was completed on 19/06/20. The aim of the assessment was to confirm the presence/likely-absence of a bat roost, to provide an assessment of the current status of all the survey features and gain an understanding of how the bats use the site in the context of the local landscape. Evidence is provided for species, numbers and activity levels, as well as any entrance and egress points. The survey concluded that no roost was confirmed.

The report recommended enhancements as per the NPPF to include:

- The developed site can be enhanced for the bat species observed to be foraging and commuting across the site during the surveys by installing of a minimum of two bat boxes on mature tree or the retained building e.g. Schwegler 2F Bat Box Schwegler 1FF Bat Box Schwegler 2FN Bat Box Improved Cavity Bat Box.
- Bat boxes should be positioned 3-5m above ground level facing south or south-westerly with a clear flight path to and from the entrance. Bat boxes should also be positioned away from any artificial light sources.

9.32 As there is no evidence of bat activity in the site it is not considered that these proposed enhancements meet the test of ‘reasonableness’ required for all conditions. Nevertheless, these recommendations will be added as an informative. Furthermore, no comments have been received from HCC – Ecology but based on the report and survey prepared by Arbtech the Council has sufficient information to be sure that the proposed development would not result in an unacceptable impact on roosting bats. An informative regarding Bats will be added to any approval.

9.33 The proposals therefore comply with Policy CS26 of the Dacorum Borough Core Strategy (September 2013), as well as national planning policy as set out in the National Planning Policy Framework.

#### Other Material Planning Considerations

##### *Contaminated Land*

9.34 The Contaminated Land Officer has no objections to the proposal.

##### *Impact on Trees and Landscaping*

9.35 No significant trees will be affected by the proposed development.

##### *Environmental Health*

9.36 There are no noise or air quality concerns regarding the proposed development.

#### Response to Neighbour Comments

9.37 One neighbour comment was received which raised no concerns.

#### Community Infrastructure Levy (CIL)

9.38 Policy CS35 of the Core Strategy 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 July 2015. This application is not CIL liable due to resulting in less than 100m<sup>2</sup> of additional floor space.

### **10. CONCLUSION**

10.1 The application seeks permission for a householder extension to a dwelling within a Small Village in the Green Belt, Potten End. House extensions are permitted subject to being in accordance with CS 6 of the Core Strategy. The development does not result in a loss of character within the street scene and will not result in a significant loss of amenity for either of the immediate neighbours and the provision of two parking spaces for the proposed 4 bedroom dwelling is considered acceptable.

### **11. RECOMMENDATION**

11.1 That planning permission be granted.

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

- 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 constructed in accordance with the materials specified on the application form.**

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).

- 3. The 4 new velux windows in the western roof slope of the extension hereby permitted shall be non-opening and permanently fitted with obscured glass.**

Reason: In the interests of the residential amenities of the occupants of the adjacent dwellings in accordance with Policy CS12 (c) of the Dacorum Borough Council Core Strategy (2013) and Paragraph 127 (f) of the National Planning Policy Framework (2019).

- 4. The dormer window on the east elevation of the new roof extension hereby permitted shall be permanently fitted with obscured glass and top hung.**

Reason: In the interests of the residential amenities of the occupants of the adjacent dwellings in accordance with Policy CS12 (c) of the Dacorum Borough Council Core Strategy (2013) and Paragraph 127 (f) of the National Planning Policy Framework (2019).

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

**Proposed Location and Site Plan PL/001 Rev A**  
**Proposed Floor Plans PL/004**  
**Proposed Elevations PL/005 Rev B**

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.
2. If bats, or evidence for them, are discovered during the course of roof works, work must stop immediately and advice sought on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England to avoid an offence being committed.
3. Dust from operations on the site should be minimised by spraying with water or carrying out of other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Practical Means (BPM) should be used at all times. The Applicant is advised to consider the control of dust and emissions from construction and demolition Best Practice Guidance, produced in partnership by the Greater London Authority and London Councils.
4. In accordance with the Councils adopted criteria, all noisy works associated with site demolition, site preparation and construction works shall be limited to the following hours - 07:30 to 18:30 on Monday to Saturday, no works are permitted at any time on Sundays or bank holidays.
5. The attention of the Applicant is drawn to the Control of Pollution Act 1974 relating to the control of noise on construction and demolition sites.
6. Works affecting the roof of the building or bird box should take place outside of the period 1st March - 31st August to avoid impacts on nesting birds. If this is not possible, a nesting bird check should take place immediately prior to works commencing, with active nests retained until the young have fledged."
7. The developed site can be enhanced for the bat species observed to be foraging and commuting across the site during the surveys by installing of a minimum of two bat boxes on mature tree or the retained building e.g. Schwegler 2F Bat Box Schwegler 1FF Bat Box Schwegler 2FN Bat Box Improved Cavity Bat Box.

Bat boxes should be positioned 3-5m above ground level facing south or south-westerly with a clear flight path to and from the entrance. Bat boxes should also be positioned away from any artificial light sources.



## APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Local Parish	No objection
Environmental And Community Protection (DBC)	<p>With reference to the above planning application, please be advised Environmental Health have no objections or concerns. However I would recommend the application is subject to construction working hours with Best Practical Means for dust.</p> <p>Construction Hours of Working - (Plant &amp; Machinery) Informative</p> <p>In accordance with the councils adopted criteria, all noisy works associated with site demolition, site preparation and construction works shall be limited to the following hours: Monday - Friday 07.30am - 17:30pm, Saturdays 08:00am - 13:00pm, Sundays and Bank Holidays - no noisy works allowed.</p> <p>Construction Dust Informative</p> <p>Dust from operations on the site should be minimised by spraying with water or by carrying out of other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Practical Means (BPM) should be used at all times. The applicant is advised to consider the control of dust and emissions from construction and demolition Best Practice Guidance, produced in partnership by the Greater London Authority and London Councils.</p> <p>Noise on Construction/Demolition Sites Informative</p> <p>The attention of the applicant is drawn to the Control of Pollution Act 1974 relating to the control of noise on construction and demolition sites.</p> <p>CONTAMINATED LAND:</p> <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
7	1	0	0	1

### Neighbour Responses

Address	Comments
The Paddocks Rambling Way Potten End Berkhamsted Hertfordshire HP4 2SE	Thank you for the clarification, we are now happy with the proposal and have no objections.