

ITEM NUMBER: 5i

20/03181/FHA	Two storey side and single storey rear extensions and loft conversion.	
Site Address:	3 St Katherines Way Berkhamsted Hertfordshire HP4 1DA	
Applicant/Agent:	Mr Enam Rahim	Miss Jamie-Lee Collins
Case Officer:	Natasha Vernal	
Parish/Ward:	Berkhamsted Town Council	Berkhamsted Castle
Referral to Committee:	Contrary view of Berkhamsted Town Council	

1. RECOMMENDATION

That planning permission be **GRANTED** with conditions.

2. SUMMARY

2.1 The principle of residential development in this location is acceptable. The proposed two storey side and single storey rear extensions and loft conversion creating front and rear dormers windows will integrate with the existing dwelling and surrounding area by virtue of its sympathetic design and scale. Whilst visible from the surrounding area, the proposal will not detrimentally impact upon the living conditions of surrounding properties nor will it impact upon local parking provision.

2.2 The proposal is therefore in accordance with Saved Appendices 3 and 5 of the Dacorum Local Plan (2004), Policies CS4, CS10, CS11 and CS12 of the Core Strategy (2013), Appendix A of the Parking Standards SPD (2020), the NPPF (2019) and the Tunnel Fields (BCA15) Residential Character Appraisal Supplementary Planning Guidance (2004).

3. SITE DESCRIPTION

3.1 The site is occupied by a two storey semi-detached dwelling located on St Katherines Way in Berkhamsted. The site is situated within an area of archaeological significance and the surrounding area is predominately residential in character.

4. PROPOSAL

4.1 This application seeks full householder permission for the construction of a two storey side and single storey rear extensions and loft conversion creating front and rear dormers.

4.2 The agent was advised by the case officer to make amendments to the original scheme and amended plans were received on 5th November 2020. The amended scheme '105.2A' and '105.3A' show the first floor side extension set in by approximately 1 metre from the side boundary reducing visual intrusion and overbearing impacts when viewed from the neighbouring properties at Nos. 1, 3 and 4's (Mortain Drive) rear elevation. Amendments have been made to the rear dormer, being set in from the flank walls by approximately 1.3 metres to the south-east flank wall and 0.6 metres to the north-west flank wall.

5. PLANNING HISTORY

Planning Applications (If Any):

20/02449/LDP - Loft conversion
GRA - 15th October 2020

4/01988/02/FHA - Two storey side extension and replacement conservatory

GRA - 28th November 2002

Appeals (If Any):

6. CONSTRAINTS

Area of Archaeological Significance: 21

CIL Zone: CIL1

Parish: Berkhamsted CP

RAF Halton and Chenies Zone: Green (15.2m)

RAF Halton and Chenies Zone: RAF HALTON: DOTTED BLACK ZONE

Residential Area (Town/Village): Residential Area in Town Village (Berkhamsted)

Residential Character Area: BCA15

SPD Zone 3

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

CS29 - Sustainable Design and Construction

Supplementary Planning Guidance/Documents:

Tunnel Fields (BCA15) Residential Character Appraisal (2004)

Parking Standards SPD (2020)

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 The application site is located in a residential area of Berkhamsted. Core Strategy (2013) Policy CS4 states that appropriate residential development is encouraged in the towns and large villages.

Quality of Design / Impact on Visual Amenity

9.3 Core Strategy (2013) Policies CS10, CS11 and CS12 highlight the importance of high quality sustainable design in improving the character and quality of an area, seeking to ensure that developments are in keeping with the surrounding area in terms of scale, mass, height and appearance. This guidance is supported by Saved Appendices 3 and 7 of the Local Plan (2004). In addition, Tunnel Fields (BCA15) Residential Character Appraisal (2004) states that extensions, curtilage buildings and other alterations to dwellings are strongly encouraged to follow the materials and architectural details present on the parent building.

9.4 The surrounding area is characterised by semi-detached dwellings that maintain a uniform design, comprising detached garages set back from the front building line, steeply pitched roofs and prominent front cat-slide dormers.

9.5 Tunnel Fields (BCA15) Residential Character Appraisal states that spacing within the medium range (2 m to 5 m) should be maintained. The existing rear conservatory would be demolished. The proposed ground floor side and rear extension would create an 'L' shape extension measuring approximately 3.6 metres in width from the existing side elevation, 3.5 metres in length from the existing rear elevation and a height of 3.6 metres. The proposal would comprise a flat roof for the ground floor side extension and a mono-pitched roof for the ground floor rear extension. Four roof lights would be inserted within the mono-pitched roof.

9.6 The proposed first floor side extension would extend approximately 2.6 metres from the existing side elevation, a length of 8.5 metres and would be in line with the existing roof ridge. The proposed first floor side extension would be sited approximately 1 metre from the side boundary.

9.7 The proposed front dormer comprises a cat-slide roof and would measure a total volume of approximately 9.8 cubic metres which would be set in from the flank walls by approximately 0.5 metres. The proposed flat roof rear dormer, would measure a total volume of approximately 32 cubic metres and would be set in approximately 1.3 metres from the south-east flank wall and 0.6 metres from the north-west flank wall. A Juliet balcony with two windows is proposed within the rear dormer facing the rear boundary.

9.9 The proposal features facing brickwork, cladding to the front and rear dormer and roof tiles to match the existing dwelling and the surrounding area.

9.10 Alterations to fenestration is proposed to the existing dwelling with external works to the front elevation involving repositioning the existing front door facing the front boundary. The proposed fenestration would be in keeping within the existing fenestration and the surrounding area.

9.11 The application site features ground levels sloping towards the rear boundary. The existing external steps would be relocated featuring a patio extending approximately 1.5 metres from the proposed rear extension, allowing sufficient space to step down into the rear garden.

9.12 Although some elements of the proposed development would be visible from the public realm, the proposal would be set back from the public highway by approximately 5 metres and therefore the proposal would be less prominent when viewed along St Katherines Way. Furthermore, the proposed design and appearance would harmonise with the existing dwelling and the surrounding street scene. It is not considered that the works would result in a massing that would be unduly prominent or out of keeping within the character and appearance of the existing dwelling or the surrounding area.

9.13 It is considered that the design, layout and scale of the proposed development respects that of the existing and surrounding dwellings. The architectural style is sympathetic to the surrounding area and the proposal will not have a detrimental impact upon the character and appearance of the area. The proposal therefore complies with Saved Appendices 3 and 7 of the Dacorum Local Plan (2004), Policies CS10, CS11 and CS12 of the Core Strategy (2013) and the NPPF (2019).

Impact on Residential Amenity

9.14 The NPPF outlines the importance of planning in securing good standards of amenity for existing and future occupiers of land and buildings. Saved Appendix 3 of the Local Plan and Policy CS12 of the Core Strategy seek to ensure that new development does not result in detrimental impact upon the neighbouring properties and their amenity space.

9.15 It is noted that formal objections have been received from the neighbouring properties at Nos. 1, 3 and 4 (Mortain Drive) objected on the grounds of the proposed development causing visual intrusion and overbearing impacts.

9.16 The proposed development would be sited approximately 11 metres from the No.4 (Mortain Drive), 13 metres from No.3 (Mortain Drive) and 6.2 metres from No.1 (Mortain Drive). Due to the orientation, layout and separation distance between the neighbouring properties and the subject property, the proposed works would not harm the residential amenities of adjacent or surrounding properties with regards to light, privacy or visual intrusion. The first floor side extension has been set in by approximately 1 metre from the side boundary to prevent impacts on overlooking. Regarding the proposed windows to the flank elevation, an obscure glazing condition is required to ensure no adverse impacts on neighbouring amenity. Although views of Nos. 3 and 4 (Mortain Drive) rear gardens would be possible, these views would have similar views to the existing first floor rear windows and therefore it is not considered to have a detrimental impact in regards to overlooking. Furthermore, the proposed rear dormer can be constructed under permitted development rights as it was recently granted consent for a rear dormer under LPA ref: 20/02449/LDP.

9.17 The proposed two storey side extension would not extend beyond the neighbouring property at No.5's rear elevation and would be obscured by the existing dwelling. Although the proposed ground floor rear extension would extend beyond No.5's rear elevation, the proposed extension would be screened by fencing and no fenestration is proposed to face towards No.5. Therefore, there are no concerns in terms of loss of sunlight/ daylight, overlooking or overshadowing.

9.18 Taking the above into account, it is considered that the proposal will be acceptable with respect to the impact on the residential amenity of neighbouring properties in accordance with Policy CS12 of the Core Strategy (2013), Saved Appendix 3 of the Local Plan (2004) and the NPPF (2019).

Impact on Highway Safety and Parking

9.19 There would be no changes to the existing access, nor any changes that would affect the adjoining highway. In terms of parking, the parking standards are comprised within Appendix A of the Parking Standards SPD (2020). The site resides within Accessibility Zone 3, wherein the parking requirement for a 3-bedroom dwelling is 2.25 spaces.

9.20 The existing dwelling comprises three bedrooms, as a result of the proposed development there would be four bedrooms. However, the proposed development will not affect the local parking capacity as this four bedroomed semi-detached dwelling has a substantial area of hardstanding located to the front that can accommodate at least two vehicles. In addition, the existing garage would be retained to accommodate at least one internal parking space. Furthermore, there are local public transport routes situated in close proximity to the application site.

9.21 It is considered that the proposed development will not have a detrimental impact on local parking provision, nor will it have a severe impact to the safety and operation of the adjacent highway. Thus, the proposal meets the requirements of Appendix A of the Parking Standards SPD (2020)

Berkhamsted Town Council

9.22 Berkhamsted Town Council has objected on the grounds of significant overdevelopment of the site.

9.23 As the site's permitted development rights are currently intact, it should be noted that the existing dwelling was recently granted consent for a loft conversion with a rear dormer approved under LPA ref: 20/02449/LDP.

9.24 Further to the changes made to the submitted plans, the first floor side extension has been set in approximately 1 metre from the side boundary preventing a terracing effect and visual intrusion towards the neighbouring properties at Nos. 1,3 and 4 (Mortain Drive). The rear dormer has been set in by approximately 1.3 metres and 0.6 metres from either side of the flank walls and down from the existing roof ridge by approximately 0.5 metres. Overall, the proposal allows visual reading of the existing elevation and is considered to be uniform with the existing dwelling and the surrounding properties in the street scene.

Historic Environment

9.25 Historic Environment were consulted and raised no objections to the proposal.

Response to Neighbour Comments

9.26 The neighbouring properties at Nos. 1, 3 and 4 (Mortain Drive) has objected on the grounds of the proposed development causing visual intrusion and loss of privacy. However, these points have been addressed in the impact on residential amenity assessment.

Community Infrastructure Levy (CIL)

9.26 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. The application is not CIL liable as it would result in less than 100 square metres of additional residential floor space.

10. CONCLUSION

10.1 The proposed development through its design, scale and finish will not have a significant adverse impact upon the visual amenity of the immediate street scene or the residential amenity of neighbouring occupants. The proposal is therefore in accordance with Saved Appendices 3 and 5 of the Dacorum Local Plan (2004), Policies CS4, CS10, CS11 and CS12 of the Core Strategy (2013) and the NPPF (2019).

11. RECOMMENDATION

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

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 carried out in accordance with the following approved plans/documents:**

- 105.2 A
- 105.3 A

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

3. **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).

4. **The flank windows at first floor level in the southern elevation of the extension hereby permitted shall be non-opening below 1.7m and permanently fitted with obscured glass unless otherwise agreed in writing by the Local Planning Authority.**

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).

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

Parish/Town Council	<p>Objection</p> <p>The Committee's objection had not altered from when the application was last considered in October 2020, which is that it proposes a significant overdevelopment of the site. They also noted objections from neighbouring residents on the portal.</p> <p>CS12</p>
Archaeology Unit (HCC)	<p>Please note that we have no comments to make on the above application.</p>
Parish/Town Council	<p>Objection</p> <p>The application proposes a significant overdevelopment of the site.</p> <p>CS12</p>

APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
8	4	0	4	0

Neighbour Responses

Address	Comments
1 Mortain Drive Berkhamsted Hertfordshire HP4 1JZ	<p>Objection to AMENDED plans:</p> <ol style="list-style-type: none"> 1. As my property is already several feet below the ground level of no.3 the additional height of a two storey building and loft extension will be overbearing. This is definitely an over development. It is too high, too close to my property and a visual intrusion. 2. My hedges on the boundary will be affected and 3. The side window intrudes on privacy.
1 Mortain Drive Berkhamsted Hertfordshire HP4 1JZ	<p>I am objecting to the erection of the Two Storey Side Extension and Loft Conversion proposal for the following reasons:</p> <ol style="list-style-type: none"> 1. Visual Intrusion <ol style="list-style-type: none"> a. My property is already several feet below the ground level of no: 3, therefore, to have the additional height of a two storey building and the additional depth of the box type loft extension overlooking my property, would be extremely overbearing and a visual intrusion. b. At present I look at a nice soft hedge which helps with my wellbeing. If planning permission is granted, I will be looking at a massive brick wall with huge box looming over my property.

	<p>2. Loss of Privacy</p> <p>a. Window will overlook my property.</p> <p>3. Hedge/Trees</p> <p>a. My hedge/trees will be affected and destroyed as this is on the border to which they intend to build up to.</p> <p>I would be extremely grateful if someone could come to my house and see for themselves the impact this will have.</p>
<p>4 Mortain Drive Berkhamsted Hertfordshire HP4 1JZ</p>	<p>The design of the proposed works represents a complete loss of privacy as it will overlook my property in its entirety with direct views into bedrooms and provide a complete view of the land. Having reviewed the amended plans, I object to the proposition.</p> <p>1. The proposed works would completely over look my property with direct views into bedrooms and bathroom and rear of my property in its entirety. This represents a direct invasion of privacy.</p> <p>2. The proposed works will block the sunlight for an additional two hours as it passes across the horizon during autumn and winter where the sun is low. This represents a loss of light that enters my house and passes over my garden.</p> <p>3. The proposed works will add additional height over the garage, effectively doubling the size of the shadow the property casts and blocking the sky with building. As the property is building higher up on the hill, expanding its frame will create a very real sense of being over-watched as the building looms over my property and neighbouring properties.</p> <p>4. General dislike of the proposal given that sky is replaced with building. The work represents significant over development of a property and impacts a number of neighbouring properties due to the existing increased height. Whilst I empathise with the proposal, the impact of light, loss of privacy, and replacing neighbours views with brickwork doesn't balance out. There will be a very measurable devaluation of neighbouring properties should this work proceed.</p> <p>5. The style indicated in the proposal isn't quite in keeping with the other properties and doesn't sit well. It looks crammed in to land that doesn't support it. It is a classic example of over development that will jar with the look of the neighbourhood.</p>
<p>3 Mortain Drive Berkhamsted Hertfordshire</p>	<p>The rear of the property will extend 3.5 additional meters to the rear and then there is a patio added on. There is an additional floor. These will now both look directly into my garden and property. I think that this is a significant overdevelopment</p>