

ITEM NUMBER: 5j

21/00956/FHA	Proposed open porch, attached single garage with new driveway, two storey side extension and single storey rear extension	
Site Address:	3 Bulstrode Close Chipperfield Kings Langley Hertfordshire WD4 9LT	
Applicant/Agent:	Mr & Mrs G Phillips	Mr Nigel Hammond
Case Officer:	Natasha Vernal	
Parish/Ward:	Bovingdon Parish Council	Bovingdon/Flaunden/Chipperfield
Referral to Committee:	Contrary view of Bovingdon Parish Council	

1. RECOMMENDATION

That planning permission be **GRANTED** subject to conditions.

2. SUMMARY

2.1 The principle of residential development in this location is acceptable, in accordance with the exceptions for appropriate development in the Green Belt as set out under Paragraph 145 of the National Planning Policy Framework (NPPF) (2019). The proposed development will integrate with the existing dwelling and surrounding area by virtue of its sympathetic design and scale. Furthermore, given the scale and nature of the works and the positioning of the site in relation to neighbouring properties, it is not considered that the proposal would adversely affect the residential amenity of neighbouring properties by being visually overbearing or resulting in a significant loss of light or privacy. 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 7 of the Dacorum Local Plan (2004), Policies CS5, CS10, CS11 and CS12 of the Core Strategy (2013), Appendix A of the Parking Standards SPD (2020) and Paragraph 145 of the NPPF (2019).

3. SITE DESCRIPTION

3.1 The site is occupied by a two storey detached dwelling located on north side Bulstrode Lane in Chipperfield. The site is accessed off Bulstrode Lane and the rear garden fronts onto Chipperfield Road. The site is situated within the Metropolitan Green Belt.

4. PROPOSAL

4.1 This application seeks full householder permission for the construction of an open porch, attached single garage, two storey side extension and single storey rear extension.

5. PLANNING HISTORY

None.

6. CONSTRAINTS

Special Control for Advertisements: Advert Special Control
CIL Zone: CIL2
Green Belt: Policy: CS5

Heathrow Safeguarding Zone: LHR Wind Turbine
Oil Pipe Buffer: 100
Parish: Bovingdon CP
RAF Halton and Chenies Zone: Red (10.7m)
Parking Standards: New 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
CS4 - The Towns and Large Villages
CS5 - 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:

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 and the impact on the Green Belt;
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 and impact on the Green Belt

9.2 The application site is located within the Green Belt. Core Strategy (2013) Policy CS5 aims to protect the character and openness of the Green Belt and states that small-scale development will be permitted, such as limited extensions to existing buildings, provided that it has no significant impact on the character and appearance of the countryside. Paragraph 145 of the NPPF (2019) states that one of the exceptions to inappropriate development in the Green Belt is the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. In the context of the NPPF, 'original building' means a building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally. Therefore, for the purpose of this application, the existing building on the site is taken to be the original building. According to the planning history, the existing dwelling does not benefit from any extensions.

9.3 Regard is also given to Saved Policy 22 of the Local Plan (2004), which requires an assessment based on the increase in floor area, allowing for a 30% increase. Policy 22 is only partly consistent with the more recent NPPF and Core Strategy and as such, Policy 22 is given less weight. The main issue is whether the proposed extension is 'limited' and 'proportionate' and whether it would have a significant impact on the character and appearance of the countryside.

9.4 Although percentage increases are no longer typically used as a limiting factor in establishing whether an extension is acceptable in principle, these measurements do provide a good starting point in an assessment of the proportionality of a development. The floor space of the original dwelling amounts to approximately 100 square metres. The proposed development would increase the floor space of the dwelling by approximately 104 square metres which would result in an additional percentage increase of approximately 106%. Whilst there would be a spatial impact in terms of the floor area increase, the visual impact would be limited as the property would be set back from Chipperfield Road by approximately 21 metres and Bustrade Lane by 8 metres. Furthermore, the application site is screened by vegetation along the side and rear boundaries, which is proposed to be retained.

9.5 Permitted development rights have not been removed from the property and therefore, the application property could benefit from fairly sizable floor area and volume increases without the need for planning permission. It is also important to note that it is likely that a 3 metre deep single storey rear extension and a 4 metre wide single storey side extension could be constructed without the need for planning permission under Class A, Part 1, Schedule 2 of the General Permitted Development Order (2015) (as amended). This is a material consideration that should be afforded weight.

9.6 Taking all of the above into account, it is considered that the proposed development would constitute a limited extension (in accordance with Policy CS5) and would not result in disproportionate additions over and above the size of the original dwelling (in accordance with Paragraph 145 of the NPPF 2019).

9.7 Additionally it is considered that, subject to the below assessment of design and finish, the proposed development will not have a significant impact on the character and appearance of the countryside, according with Policy CS5 of the Core Strategy (2013). The proposal is therefore considered acceptable in principle, subject to the considerations below.

Quality of Design / Impact on Visual Amenity

9.8 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).

9.9 Policies CS11 and CS12 of the Core Strategy (2013) all seek to ensure that development should preserve attractive streetscapes, integrate with the streetscape character and 'respect adjoining

properties in terms of layout and site coverage. Furthermore, Section 12, paragraph 127 (b) and (d) of the NPPF (2019) requires development to be visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

9.10 The surrounding area is characterised by detached dwellings that maintain a uniform design, comprising hipped roofs and detached garages located at the end of Bulstrode Close.

9.11 The proposed garage would extend approximately 4 metres from the principal elevation with a height of 3.8 metres. The proposed two-storey side extension would extend approximately 4 metres from the side elevation and would not extend beyond the principle or rear elevation of the existing dwelling. The two storey side extension would be sited approximately 6.7 metres from the side boundary. The proposed single storey rear extension would extend approximately 3 metres from the existing rear elevation with a height of 3.4 metres.

9.12 The proposal would feature facing brick, cladding panels and aluminium door and windows to be in keeping with the existing dwelling and the surrounding area.

9.13 Although elements of the proposed development would be visible from the public realm, the proposal would be set back from the public highway by approximately 10 metres from Bulstrode Close. There is a large separation distance between Chipperfield Road and Bulstrode Close. Although the proposed development would be closest to Bulstrode Lane, it would be masked by vegetation. Therefore, the proposal would be less prominent when viewed from Bulstrode Lane. Furthermore, the proposal is considered to be in uniform and harmonise with the existing dwelling and the surrounding street scene, as the proposed development allows visual reading of the original elevation of the existing dwelling. The proposal is not considered to 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.

9.14 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

9.15 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.

9.16 The proposed garage and front porch would be sited approximately 7 metres from the common boundary with No.2 and no fenestration is proposed to face towards this neighbouring property. Given its single storey nature and separation distance, it is unlikely that that proposed garage and front porch would have a significant impact on loss of light, overlooking or overshadowing. The proposed two-storey side extension would be on the opposite side of the existing dwelling and would not project beyond No.2's front or rear elevation. In addition, no fenestration is proposed to directly face towards this neighbouring property.

9.17 Views of No.2's rear garden would be possible, however these views are similar to those existing windows at first floor. Therefore, it is unlikely that that proposed garage and front porch would have a significant impact on loss of sunlight / daylight, overlooking or overshadowing. Although the proposed single storey rear extension would extend beyond No.2, the rear extension is set in from the side boundary by approximately 0.4 metres. The proposed pitched roof of the rear extension slopes away from the side boundary reducing impacts on loss of light. Furthermore, no

side fenestration is proposed to face towards No.2, therefore, it is unlikely that the single storey rear extension would have significant impacts on 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 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 4-bedroom dwelling is 3 spaces.

9.20 The block plan on drawing "01B" illustrates alterations to the frontage to accommodate the proposed garage. However, a landscaping condition requiring the hardstanding materials within the site will be imposed to ensure no adverse impact on the safety or operation of Bulstrode Close.

9.21 The proposal would not have an impact on parking provision as no additional bedrooms would be added to the subject property. Bulstrode Close only serves three properties and there is a mass of hardstanding located to the frontage. In addition, the proposed scheme introduces a new driveway and a garage that would accommodate additional parking spaces.

9.22 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).

Other Material Planning Considerations

Bovingdon Parish Council

9.23 Bovingdon Parish Council has objected because they consider that the proposal constitutes overdevelopment and a disproportionate extension in the Green Belt. Furthermore, they feel it is overbearing on neighbouring properties. The Parish Planning Committee noted that the single storey rear extension is permitted development.

9.24 The amended plans received on 28th April 2021 illustrate that the reduction of depth from the two storey side extension by approximately 1.8 metres. Bovingdon Parish Council were re-consulted but the amendments did not satisfy their concerns and they still objected on the grounds of overdevelopment in the Green Belt. As permitted development rights are still intact, it should be noted that the ground floor single storey rear extension and ground floor side extension could be constructed without the need for planning permission under Class A permitted development rights. Overall, the proposal allows visual reading of the existing elevation and is considered to harmonise with the existing dwelling and the surrounding area.

British Pipeline Agency

9.25 The application site is situated within the 100 metres pipeline buffer zone. British Pipeline Agency were consulted and did not raise any concerns to the proposal.

Response to Neighbour Comments

9.26 No formal objections received.

Community Infrastructure Levy (CIL)

9.27 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 design, scale and finish will not adversely impact upon the visual amenity of the immediate street scene, surrounding countryside or the residential amenity of neighbouring occupants. Furthermore, the proposal would not result in disproportionate additions over and above the size of the original dwelling in accordance with Policy CS5 of the Core Strategy (2013). The proposal is therefore in accordance with Saved Appendices 3 and 7 of the Dacorum Local Plan (2004), Policies CS5, CS10, CS11 and CS12 of the Core Strategy (2013), Appendix A of the Parking Standards SPD (2020) and Paragraph 145 of the NPPF (2019).

11. RECOMMENDATION

11.1 That planning permission be **GRANTED** subject to 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:**

- 1B
- 04E
- 05E

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. No construction of the superstructure shall take place until full details of both hard and soft landscape works has been submitted to and approved in writing by the Local Planning Authority. These details shall include:**

- o all external hard surfaces within the site;
- o other surfacing materials;
- o means of enclosure;

- o soft landscape works including a planting scheme with the number, size, species and position of trees, plants and shrubs; and
- o retained historic landscape features and proposals for restoration, where relevant.

The planting must be carried out within one planting season of completing the development.

Reason: To improve the appearance of the development and its contribution to biodiversity and the local environment, as required by saved Policy 99 of the Dacorum Borough Local Plan (2004) and Policy CS12 (e) of the Dacorum Borough Council Core Strategy (2013).

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
British Pipeline Agency	No comments.
Parish/Town Council	<p>Comments on amended scheme:</p> <p>Object - comments remain unchanged from those submitted on the 4th May 2021. The Planning Committee noted that the single storey rear extension is within permitted development</p> <p>Original comments:</p> <p>Overdevelopment in the Green Belt. The extension is disproportional to the size of the existing property. Overbearing on neighbouring properties.</p>

APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
3	0	0	0	0