

**ITEM NUMBER: 5e**

<b>21/02998/FHA</b>	<b>Rear dormer, change in roof shape from hipped to gable with flat roof component and single storey rear extension.</b>	
<b>Site Address:</b>	<b>11 Seymour Crescent Hemel Hempstead Hertfordshire HP2 5DS</b>	
<b>Applicant/Agent:</b>	<b>Mrs Noorjehan Khan</b>	<b>Mr Suqlain Mahmood</b>
<b>Case Officer:</b>	<b>Elspeth Palmer</b>	
<b>Parish/Ward:</b>	<b>Adeyfield West</b>	
<b>Referral to Committee:</b>	<b>Agent - is an elected Member</b>	

**1. RECOMMENDATION**

That planning permission be GRANTED.

**2. SUMMARY**

- 2.1 The proposed development is acceptable in principle, in accordance with Policies CS1 and CS4 of the Dacorum Borough Core Strategy (2013).
- 2.2 It is not felt that the works would have an adverse impact on the appearance of the dwelling or would significantly impact the street scene. The proposal would not have any adverse impacts on the residential amenity of neighbouring properties by being visually overbearing or resulting in a loss of light or privacy. Furthermore, it is not considered that the scheme would have an adverse impact on the road network or create the significant parking stress. Given all of the above, the proposal complies with the National Planning Policy Framework (2021), Policies CS1, CS4, CS11, CS12, CS29 and CS32 of the Dacorum Borough Core Strategy (2013), Saved Policies 57-58 and Saved Appendices 3 and 7 of the Local Plan (2004), the Parking Standards Supplementary Planning Document (2020) and the Planning (Listed Buildings and Conservation Areas) Act 1990.

**3. SITE DESCRIPTION**

- 3.1 The application site is located on the southern side of Seymour Crescent within a designated residential area of Hemel Hempstead.
- 3.2 The site comprises a two storey semi-detached brick dwelling with paved area for off street parking to the front of the site.

**4. PROPOSAL**

- 4.1 Rear dormer, change in roof shape from hipped to gable with flat roof component, single storey rear extension and 4 new velux roof lights to the front roof slope.

**5. PLANNING HISTORY**

Planning Applications (If Any):

4/00607/04/FHA - Conservatory  
REF - 10th May 2004

4/00282/94/FHA - Two storey side and rear extension  
GRA - 7th April 1994

Appeals (If Any):

4/00607/04/FHA - conservatory  
- 16th September 2004 – Appeal withdrawn

## **6. CONSTRAINTS**

CIL Zone: CIL3  
Parish: Hemel Hempstead Non-Parish  
RAF Halton and Chenies Zone: Green (15.2m)  
Residential Area (Town/Village): Residential Area in Town Village (Hemel Hempstead)  
Smoke Control Order  
Parking Standards: New Zone 3  
Town: Hemel Hempstead

## **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 (July 2021)  
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  
CS26 – Green Infrastructure  
CS29 - Sustainable Design and Construction  
CS32 – Air, Soil and Water Quality

Supplementary Planning Guidance/Documents:

Parking Standards Supplementary Planning Document (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 site is located within a designated residential area of Hemel Hempstead wherein appropriate residential development is encouraged in accordance with Policy CS4 of the Core Strategy 2013.
- 9.3 The proposed scheme would thus be acceptable in principle subject to its compliance with other relevant policies.

### Quality of Design / Impact on Visual Amenity

- 9.4 Policies CS11 and CS12 of the Dacorum Borough Core Strategy (2013) seek to ensure that new development respects adjoining properties in terms of layout, scale, height, bulk and materials.
- 9.5 The property has previously been extended by way of a two storey side extension and the loft conversion now proposed will change the main roof of the existing extension/dwelling from a hipped to a gable end. The majority of roofs along Seymour Crescent are hipped but as a change such as this to the original roof can be made under permitted development it is not considered that this part of the proposal would warrant a recommendation for refusal on this basis. The introduction of a gable will erode the space in and around the building at roof level which is characteristic of the area but it is concluded that the resulting building will not appear overly cramped and given it is set away from the common boundary would not result in a terracing effect.
- 9.6 The proposed change in roof design will not project forward in a way that is dominant in the street scene so will not have a negative impact on the character of the street scene. The 4 new velux roof lights in the front roof slope are considered to be in character with the existing dwelling and the street scene.
- 9.7 The rear dormer has been set down from the main ridge height by 0.3 metres and set in from the flank and side elevations by approx. 1 metre – thus complying with Saved Appendix 7 (vi) in regard to dormer extensions.
- 9.8 In order to accommodate the rear dormer the roof of the existing two storey rear extension will be set down with a lower ridge with a less steep pitch.
- 9.9 The single storey rear extension will be subservient to and in character with the main dwelling.
- 9.10 The proposed dormer and rear extension will not be visible from the street scene so will not have a negative impact in this regard.
- 9.11 It is considered that the scale, design and materials of the proposed scheme are in character with the existing dwelling and the street scene.
- 9.12 The proposal is considered therefore to comply with CS12 in terms of streetscape character.

### Impact on Residential Amenity

- 9.13 The NPPF (2021) outlines the importance of planning in securing good standards of amenity for existing and future occupiers. Furthermore, Saved Appendix 3 of the Local Plan (2004) and Policy CS12 of the Core Strategy (2013) seek to ensure that new development avoids visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to surrounding properties.
- 9.14 No13 Seymour Crescent to the south of the site is a detached dwelling set away from the side boundary and set slightly further back on the site. Large patio doors cover most of the rear elevation at ground floor.
- 9.15 No 9 Seymour Crescent to the north of the site is a semi-detached dwelling with a stepped side boundary with the subject site. A part bay window and patio door covers most of the rear elevation at ground floor. Both these windows serve an open plan dining area and living room.
- 9.16 At ground floor level the proposed scheme would extend an existing rear extension of 2.8 metres by 3.2 metres making the total rear projection approx. 6 metres. The eaves height will be 2.5 metres with the ridge height 3.6 metres hipped back from the side boundary.

#### *Visual Intrusion*

- 9.17 Given the scale, height and positioning of the proposed rear extension, it is not considered that the proposal would appear visually intrusive to neighbouring buildings - the eaves height will be 50 cm higher than a fence built under permitted development and the roof will then be pitched away from the side boundary with No. 9 to limit any significant adverse impacts.
- 9.18 The proposed scheme would reduce the existing two story extension by 0.5 metres – where the roof pitch has been reduced - thus lessening the existing impact of this two storey element on both neighbours.

#### *Loss of Sunlight and Overshadowing*

- 9.19 The floor plans show a breach of the 45 degree line (indicative of the Sunlight and Daylight reaching No. 9) but the elevation plans show no breach. Given the extension clears the elevational 45 degree test it is considered that an acceptable and adequate amount of sunlight and daylight would continue to reach the ground floor windows in rear elevations of both neighbours from over the proposed extensions.
- 9.20 The single storey rear extension will only be 50 cm higher than a fence which could be built under permitted development and the roof will be pitched away from the side boundary with No. 9 to limit any impacts. Currently there is vegetation along this boundary which is over 2 metres in height. The existing two storey extension of No. 11 is approx. 2.8 metres deep and currently causes some afternoon shadowing of No. 9's garden. As part of the proposals the two storey element is being reduced in height by 0.5 metres so there will be actually be some reduction in the existing overshadowing from this part of the dwelling. The single storey projection will cast a shadow but given its limited height and the lowering of the two storey element, collectively it is concluded that the proposed scheme will not have a significant negative impact on the light reaching the garden nor will it and result in an unacceptable level of overshadowing.

#### *Loss of Privacy*

- 9.20 There is one new first floor window proposed in the side elevation of the dwelling. A condition will be set stating that this window will be obscure glazed and non-opening below 1.7 metres from the internal floor level so there will be no loss of privacy for neighbours as a result of the proposal.
- 9.21 In light of everything considered above, the proposal would not be considered to have any significant adverse impacts on the residential amenity of neighbouring properties according with Policy CS12 of the Dacorum Borough Core Strategy (2013), Saved Appendix 3 of the Dacorum Borough Local Plan (2004) and the relevant sections of the NPPF (2021).

#### Impact on Highway Safety and Parking

- 9.22 The NPPF (2021), Policies CS8 and CS12 of the Dacorum Borough Core Strategy (2013), Saved Policy 58 of the Local Plan (2004) and the Parking Standards Supplementary Planning Document (2020) all seek to ensure that new development provides safe and sufficient parking provision for current and future occupiers.
- 9.23 The proposal would change the number of bedrooms from 3 to 6.
- 9.24 The Parking Standards SPD states that a 4 bedroom dwelling should have 3 spaces and more than 4 bedrooms should be assessed on an individual case basis.
- 9.25 The site plan shows adequate space for 4 vehicles off street. There are no parking restrictions along Seymour Crescent, the site is located close to the town centre and public transport so is considered a sustainable location. It is considered in this case that the provision of 4 spaces is sufficient.
- 9.26 No changes have been proposed to the existing site access.

#### Other Material Planning Considerations

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

- 9.27 No significant trees will be affected by the proposed scheme.

#### Response to Neighbour Comments

- 9.28 Neighbour comments have been received covering the following concerns:
- Loss of sun light and overshadowing;
  - Loss of heat; and
  - Dampness – water logging;

9.29 The loss of sun light and overshadowing is addressed above. . The loss of heat and resultant dampness are related to amount of sunlight received and drainage from the site however the development is concluded to not result in an unacceptable level of overshadowing and given no significant harm is identified a refusal on these matters could not be sustained.

#### Community Infrastructure Levy (CIL)

- 9.29 Policy CS35 of the Core Strategy (2013) 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 1st July 2015.

## 10. CONCLUSION

- 10.1 It is recommended that the application be granted planning permission.
- 10.2 The proposed development is considered to be acceptable in principle, in accordance with Policies CS1 and CS4 of the Dacorum Borough Core Strategy (2013). The proposed rear dormer, change in roof shape from hipped to gable with flat roof component and single storey rear extension is considered to have been designed to be in character with the existing dwelling and the street scene and is therefore considered to be acceptable in design/visual amenity terms. It is not considered that the proposal would have any adverse impacts on the residential amenity of neighbouring properties by being visually overbearing or resulting in a loss of light or privacy.
- 10.3 Furthermore, it is not considered that the scheme would have an adverse impact on the road network or create the significant parking stress required to render the scheme unacceptable. Given all of the above, the proposal complies with the National Planning Policy Framework (2021), Policies CS1, CS4, CS11, CS12, CS29 and CS32 of the Dacorum Borough Core Strategy (2013), Saved Policies 57-58 and Saved Appendices 3 and 7 of the Local Plan (2004) and the Parking Standards Supplementary Planning Document (2020).

## 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 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 window at first floor level in the southern elevation (facing No. 13) of the development hereby permitted shall be non-opening and permanently fitted with obscured glass below 1.7 metres from internal floor level 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 130 (f) of the National Planning Policy Framework (2021).

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

Site Location Plan  
Plan and Elevations showing 45 deg lines - 1012 Rev P01  
Ground Floor Plan - 1003 Rev P02

Front Elevation & Elevation from No. 9 - 1007 Rev P02  
 Rear Elevation -& Elevation from No. 13 - 1008 Rev P02  
 First Floor Plan - 1004 Rev P02  
 Proposed Loft Floor Plan - 1005 Rev P02  
 Roof Plan - 1006 Rev P02

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 lead 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

**APPENDIX B: NEIGHBOUR RESPONSES**

**Number of Neighbour Comments**

Neighbour Consultations	Contributors	Neutral	Objections	Support
8	1	0	1	0

**Neighbour Responses**

Address	Comments
9 Seymour Crescent Hemel Hempstead Hertfordshire HP2 5DS	<p>The photos referred to in this objection can be viewed on line.</p> <p>Having spoken to our neighbours and carefully studied the proposed plans and elevations on your site we feel duty bound to register our objections.</p> <p>We believe our objections are 'material planning considerations', that being - loss of light and over shadowing which may eventually lead to possible structural damage of our property.</p> <p>If I stand at the window and take a photo you can see the light which currently falls into our garden (photo b) which is largely dependent on our view to the sky (photo c).</p>

If this proposal is allowed the view at photo c will be brick wall. Thus blocking out any sunlight and heat to our garden for the largest part of the day.

We already suffer from damp due to the fact that our garden is on a slight incline.

Our second objection is to do with water logging - The lawn adjacent to my neighbour at number 11, currently never dries. After prolonged rain the ground is waterlogged. We believe this is due to lack of sunlight and heat reaching the grass already possibly due to height of conifers on neighbour's side casting shadow and the grass not being able to ever dry out. If this extension is allowed this situation will be exacerbated. There will be even less sunlight and heat able to reach our garden and the current water logging could be made worse leading to dampness and structural damage to our property.

We also object for humanitarian reasons those being we like our garden as it is and we like living here. A major factor when we bought this house 9 years ago is that there is some sun in our back garden. That was extremely important for us as a family when choosing somewhere to live. We love the wildlife and nature we provide for and do everything we can to sustain it. Loss of light will have a knock on affect to that.