

ITEM NUMBER: 5h

22/00710/FHA	Proposed first floor extension, front gable extension and rooflights and rear dormer windows	
Site Address:	Ponderosa, Barncroft Road, Berkhamsted, Hertfordshire, HP4 3NL	
Applicant/Agent:	Mathew Hicks	Christian Olley
Case Officer:	Cris Lancaster	
Parish/Ward:	Berkhamsted Town Council	Berkhamsted West
Referral to Committee:	Objection from Berkhamsted Town Council	

1. RECOMMENDATION

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

2. SUMMARY

- 2.1 The property, Ponderosa, received planning permission for a first floor extension and a new front entrance under reference 21/00399/FHA and this development is currently under construction. The proposed development involves additions to this in terms of roof level additions and an amendment to the front gable extension. It is considered that the proposed development through its design, scale and finish will not adversely 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 7 of the Dacorum Borough Local Plan (2004), Policies CS4, CS10, CS11 and CS12 of the Core Strategy (2013) and the National Planning Policy Framework (NPPF) (2021).

3. SITE DESCRIPTION

- 3.1 The site was occupied by a single storey detached dwelling located on Barncroft Road in Berkhamsted. The property is subject to previously permitted first floor and front extension which is currently being implemented which will result in a two-storey development. The surrounding area is predominately residential in character

4. PROPOSAL

- 4.1 This application seeks full householder permission for a first floor extension, front gable extension and front and rear roof-lights and rear dormer windows. The proposal is a change to 21/00399/FHA which received permission on 25th March 2021 and which is under construction. In addition to the rear dormer windows and the front roof-lights the external cladding at first floor has been changed from vertical timber cladding to horizontal grey composite weatherboarding. The application has been further amended during consideration by the removal of one rear dormer and substitution by rooflights

5. PLANNING HISTORY

Planning Applications (If Any):

21/00399/FHA - First floor extension, new front entrance projection and alterations to existing house.

GRA - 25th March 2021

21/04544/ROC - Variation of conditions 2 (approved plans) and 3 (Materials) attached to planning permission 21/00399/FHA (First floor extension, new front entrance projection and alterations to existing house.)

Condition Number(s): 2 and 3

Conditions(s) Removal:

We want to make some minor changes to the previously approved design.

Condition 2 lists the drawings which were approved previously - we want to revise some of the drawings and therefore change the list to include the latest drawings with new revision numbers.

Condition 3 refers to materials for the proposed development - We want to change the proposed material for the external cladding and the colour of the render.

WDN - 28th January 2022

22/00636/NMA - Non Material Amendment to planning permission 21/00399/FHA - First floor extension, new front entrance projection and alterations to existing house.

WDN - 10th March 2022

4/01429/19/FHA - Proposed first floor extension & alterations

GRA - 8th August 2019

4/00982/18/TPO - Works to trees

GRA - 20th June 2018

6. CONSTRAINTS

BCA Townscape Group

CIL Zone: CIL1

Former Land Use (Risk Zone):

Parish: Berkhamsted CP

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

RAF Halton and Chenies Zone: Red (10.7m)

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

Residential Character Area: BCA12

Parking Standards: New Zone 3

EA Source Protection Zone: 3

EA Source Protection Zone: 2

Town: Berkhamsted

Tree Preservation Order: 528, Details of Trees: T4 Western Red Cedar

Tree Preservation Order: 528, Details of Trees: T1 Yew

Tree Preservation Order: 528, Details of Trees: T2 Lawson Cypress

Tree Preservation Order: 528, Details of Trees: T5 Yew

Tree Preservation Order: 39, Details of Trees: A1 - Several trees of whatever species

Tree Preservation Order: 528, Details of Trees: T3 Lawson Cypress

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 (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
CS29 - Sustainable Design and Construction
Saved Appendix 3
Saved Appendix 7

Supplementary Planning Guidance/Documents:

Car Parking Standards (2020)
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).

9.4 The surrounding area is characterised by a mixture of detached two storey dwellings and bungalows in a variety of styles, many of which show alterations and extensions.

- 9.5 The proposed extensions would consist of further extending the development subject to an extant planning permission through the addition of roof level accommodation with resultant dormer windows to the rear and front and rear rooflights together with further extension of the previously approved front entrance feature. There is no increase in height from the recent planning permission granted under 21/00399/FHA, which is currently under construction and will result in a dwelling of approximately 8.5 metres in height. The proposal would not extend beyond the existing rear and side elevation. The proposed front gable extension is approximately 0.5 metres wider than the previous permission and, given the set-back from the street, the impact is not considered to be significant.
- 9.6 The rear dormer windows and front and rear roof-lights are considered to be subordinate to the resultant dwelling.
- 9.7 Due to the set back from the public realm by approximately 7 metres, the development is not considered to have a detrimental impact on the character and appearance of the existing dwelling or the surrounding area. When viewed from the street the changes involve the addition of rooflights and a small increase in the width of the entrance feature which is already subject of an extant planning permission.
- 9.8 The proposal is considered to harmonise with the existing dwelling and the surrounding street scene as the proposal is not prominent when viewed along Barncroft Road. Therefore, it 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.
- 9.9 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 (2021) in this regard.

Impact on Residential Amenity

- 9.10 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.
- 9.11 The proposed development would be sited approximately 9.4 metres from the neighbouring property at White Whip. No fenestration at first floor is proposed to face towards this neighbouring property. The proposal would not extend beyond the existing front, side and rear elevations at first floor. No new side facing windows are proposed. Considering the above, it is unlikely that the proposal would have a significant impact on sunlight / daylight, overlooking or overshadowing to that property.
- 9.12 The property is over 20 metres from the rear of No. 1 Crossways, which lies to the east and a greater distance from the Ridge which lies to the south. The development has been amended after submission and one rear dormer window has been removed and replaced by two small rooflights. All potential overlooking is at an oblique angle and at a distance of over 20 metres, which is not considered to have an adverse impact on privacy.
- 9.13 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 (2021).

Impact on Highway Safety and Parking

- 9.14 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 Supplementary Planning Document (SPD) (2020).
- 9.15 The existing dwelling comprises three bedrooms, as a result of the proposed development there would be five bedrooms. However, the proposed development will not affect the local parking capacity as this five bedroomed detached dwelling has a substantial area of hardstanding located to the frontage of the subject property. This area can accommodate at least three vehicles. In addition, the existing garage would be retained to accommodate at least one internal parking space.
- 9.16 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) and the NPPF (2021).

Other Material Planning Considerations

Impact on Trees and Landscaping

- 9.17 The existing trees surrounding the application site are subject to Tree Preservation Orders (TPO's) and would be retained on site. The proposals would have no detrimental impact upon any trees or landscaping features of significance in accordance with Policies CS12 of the Core Strategy (2013).

Response to Neighbour Comments

- 9.18 Three letters of objection were received that raised the following issues:
- Development too high
 - General dislike of proposal
 - Loss of privacy
 - Out of keeping with character of area
 - Over development
- 9.19 The Town Council also raised an issue of loss of amenity without being specific and considers the proposal to be overdevelopment.
- 9.20 The issues raised have been considered in the report above.

Community Infrastructure Levy (CIL)

- 9.21 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 CIL liable as it would result in more than 100 square metres of additional residential floor space.

10. CONCLUSION

- 10.1 To conclude, the proposed development through its design, scale and finish will not adversely impact upon the visual amenity of the immediate street scene or the residential amenity of neighbouring occupants. No significant impacts are identified in relation to car parking or highway safety. The proposal is therefore in accordance with Saved Appendices 3 and 7 of the Dacorum Local Plan (2004), Policies CS4, CS10, CS11 and CS12 of the Core Strategy (2013), the Parking Standards SPD (2020) and the NPPF (2021).

11. RECOMMENDATION

- 11.1 That planning permission 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:**

BCH20 110; 115A ;500F; 501H; 502K; 503E; 504A

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).

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 led 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
Berkhamsted Town Council	<p>Objection</p> <p>The Committee objected on the grounds of (a) overdevelopment of the site and (b) loss of amenity to the adjoining properties.</p> <p>CS12</p>

APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
7	3	0	3	0

Neighbour Responses

Address	Comments
Crossways Berkhamsted Hertfordshire HP4 3NH	<p>I am writing to object to this recent amended planning application on the following points.</p> <ul style="list-style-type: none"> - The proposed changes to the plans are a gross overdevelopment of the existing small 1 story bungalow and of the previous submitted plans - The resulting 3 story building will dwarf surrounding properties and is out of keeping with the character of the area - The addition of large dormer windows at the rear of the property would provide a clear line of sight into our back garden resulting in significant loss of privacy and a detriment to our residential amenity - The large dormer windows would also look downwards into 3 of our bedrooms resulting in unacceptable intrusion and loss of privacy - As well as the unfavourable impacts on our property the proposed development would also adversely impact surrounding properties on Crossways, Barncroft and Shootersway, most notably 1 Crossways and Whitewisp, resulting in unacceptable loss of privacy, natural light and social amenity. <p>In addition, it appears the developer has taken a disingenuous approach to these final plans via a series of incremental submissions each increasing the height, scope and adverse impact of the development.</p>
White Wisp Barncroft Road Berkhamsted	<p>We live next door and are extremely affected by the development which badly reduces the amount of afternoon sunshine that we receive in our living area. The proposed dormer windows at the rear of the property</p>

<p>Hertfordshire HP4 3NL</p>	<p>will further affect our light. These dormer windows will also overlook our sun terrace and back garden. The overall development has changed a single storey building with a low roof into a triple storey house which is a gross overdevelopment.</p>
<p>Skerries Darrs Lane Northchurch Berkhamsted Hertfordshire HP4 3TT</p>	<p>Impact of Existing Consent ref. 21/00399/FHA Since the application for a first floor extension to the existing bungalow was permitted in 2021 (ref. 21/00399/FHA) the building works have started.</p> <p>Minimal consideration was given to the residents at 1 Crossways within the delegated report for the proposals at Ponderosa and even though there is a distance of 23 metres, the addition of a full storey at Ponderosa has completely removed all of the evening sun which my clients previously enjoyed. No site visit was made to 1 Crossways to understand the impact of this application.</p> <p>The rear of 1 Crossways is West facing and as such the development of Ponderosa has hugely impacted the sunlight into the rear of 1 Crossways, not only is the evening sun reduced into their once light living space but also the evening sun is lost into the patio area which is the main amenity space enjoyed by the residents directly to rear of the property for dining.</p> <p>This has negatively affected the enjoyment of the property by the residents.</p> <p>Current Application 22/00710/FHA</p> <p>This current application comes as a further addition to the roof by three large dormers. The plans do not show the ridge height being extended but they do show three large windows at a considerably higher level than the first floor rear windows which have already been permitted. The eye level of the permitted rear windows is some 4 metres, but the proposed eye level of the dormer windows would be 7 metres. This would significantly increase the overlooking opportunity in the rear of 1 Crossways.</p> <p>The effected rooms would be the main windows (rear facing) of the Master bedroom and my client's teenage daughter's bedroom window (rear facing). Given the third-floor level of the additional dormer windows, they would look down into these bedroom windows affording the occupiers absolutely no privacy. This privacy has been enjoyed up to now.</p> <p>Very specifically Saved Appendix 7 of the local plan requires rear extensions to be of high design standards to safeguard amenities in the public interest. In particular, this policy requires that extensions MUST take into account individual site factors such as orientation. The orientation of the plots means that these large dormer windows to the rear of Ponderosa would seriously harm the residential amenity of 1 Crossways by an unacceptable level of additional overlooking.</p> <p>It should be noted that 23 metres is a 'minimum' distance set out in</p>

Saved Appendix 3 for distances between buildings, however this policy notes that this distance can be increased depending on other factors. Therefore, it should not be a given that just because the back-to-back distance is 23 metres then privacy is retained.

Applications in the immediate surrounding area for two storey extensions have all been required to have Velux windows in the roof in order to reduce the opportunity for this increased overlooking. For consistency, this policy should be applied in this case.

Site visit request

It is impossible to perceive the impact of the dormer windows by looking at the plans and google maps and therefore we request that the case officer makes a site visit to 1 Crossways to understand the relationship of the properties and to make a full assessment of the impact of these additional windows at Ponderosa.