

**ITEM NUMBER: Item 5j**

<b>22/00179/FUL</b>	<b>Loft Conversion</b>	
<b>Site Address:</b>	<b>7 Orchard Court, Bovingdon, Hertfordshire, HP3 0SD</b>	
<b>Applicant/Agent:</b>	<b>Paul Fountain</b>	<b>Neil Kaufman</b>
<b>Case Officer:</b>	<b>Jane Miller</b>	
<b>Parish/Ward:</b>	<b>Bovingdon Parish Council</b>	<b>Bovingdon/ Flaunden/ Chipperfield</b>
<b>Referral to Committee:</b>	<b>Officer recommendation contrary to the views of Bovingdon Town Council.</b>	

**1. RECOMMENDATION**

That planning permission be GRANTED.

**2. SUMMARY**

2.1 The application site is located within the large village of Bovingdon wherein the proposed development is acceptable in principle, in accordance with Policies CS1 and CS4 of the Dacorum Borough Core Strategy (2013).

2.2 The overall size, scale and design of the proposed alterations are acceptable, they relate well to the parent dwelling, and would not result in any harm to the character or appearance of the street scene/area. The works are not considered to have any significant adverse impacts on the residential amenity of neighbouring properties by being visually overbearing or resulting in a loss of light. The dormer window would not result in a significant loss of privacy.

2.3 Furthermore, it is not considered that the scheme would have an adverse impact on the road network or create significant parking stress in the area.

2.4 Given all of the above, the proposal complies with the National Planning Policy Framework (2021), Policies CS1, CS4, CS8 CS11, CS12 of the Dacorum Borough Core Strategy (2013), Saved Appendices 3 and 7 of the Local Plan (2004) and the Parking Standards Supplementary Planning Document (2020).

**3. SITE DESCRIPTION**

3.1 The application site is located in the north western corner of Orchard Court, within a residential area close to the High Street in Bovingdon. The site comprises a first/top floor flat, part of a small development of 8 flats with parking granted under planning reference 4/0740/88.

**4. PROPOSAL**

4.1 This application seeks permission for a loft conversion with rear dormer.

**5. PLANNING HISTORY**

Planning Applications:

21/04204/FUL - Loft Conversion  
WDN - 10th January 2022

4/00740/88 – Construction of 8 single bedroom flats and car parking  
GRA – 23<sup>rd</sup> June 1988.

Appeals: None

## **6. CONSTRAINTS**

Area of Archaeological Significance: 48

CIL Zone: CIL2

Former Land Use (Risk Zone):

Heathrow Safeguarding Zone: LHR Wind Turbine

Large Village: Bovingdon

Parish: Bovingdon CP

RAF Halton and Chenies Zone: Red (10.7m)

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

Parking Standards: New Zone 3

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 (July 2021)

Dacorum Borough Core Strategy 2006-2031 (adopted September 2013)

Dacorum Borough Local Plan 1999-2011 (adopted April 2004)

Relevant Policies

Dacorum Core Strategy

NP1 - Supporting Development

CS1 - Distribution of Development

CS4 - The Towns and Large Villages

CS11 - Quality of Neighbourhood Design

CS12 - Quality of Site Design

CS29 - Sustainable Design and Construction

Dacorum Local Plan

Appendix 3 – Layout and Design of Residential Areas

Appendix 7 – Small-scale House Extensions

Supplementary Planning Guidance/Documents:

## **9. CONSIDERATIONS**

### Principle of Development

9.1 The application site is located within a residential area of the large village of Bovingdon, wherein in accordance with Policy CS4 of the Core Strategy (2013) the principle of residential development is acceptable subject to compliance with the relevant national and local policies. The main issues of consideration relate to the impact of the proposal on the character and appearance upon the existing dwelling house, immediate street scene, residential amenity of neighbouring properties and highway safety.

9.2 Taking the above policies into account, the proposal is acceptable in principle.

### Quality of Design / Impact on Visual Amenity

9.3 Chapter 12 of the Framework emphasises the importance of good design in context and, in particular, paragraph 134 states that development which is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design taking into account any local design guidance and supplementary planning documents. Dacorum's Core Strategy Policies CS11 (Quality of Neighbourhood Design) and CS12 (Quality of Site Design) state that development within settlements and neighbourhoods should preserve attractive streetscapes; integrate with the streetscape character and respect adjoining properties in terms of scale, height, bulk and materials.

9.4 The proposal would result in a loft conversion with rear dormer. No. 7 Orchard Court is currently a first floor one-bed flat sitting under a dual pitched roof, within which is an existing loft space. It is proposed to create an additional bedroom within the loft space, accessed via a new internal staircase.

9.5 Given its limited size, set in from the boundaries and set up from the eaves it is considered that the dormer window does not appear unduly dominant in terms of bulk, scale and height to the parent building and streetscene and will use sympathetic materials to match existing.

9.6 Therefore it is considered that the proposal would be generally sympathetic and in keeping with the surrounding area, respect adjoining properties and would therefore result in no significant adverse effects on the character and appearance of the streetscene in terms of visual and residential amenity. This accords with the local and national policies mentioned above.

### Impact on Residential Amenity

9.7 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 (2004) and Policy CS12 of the Core Strategy (2013), seek to ensure that new development does not result in detrimental impact upon neighbouring properties and their amenity space. Thus, the proposed should be designed to reduce any impact on neighbouring properties by way of visual intrusion, loss of light and privacy.

9.8 Whilst flats do not have permitted development rights and hence planning permission is required in this instance, loft extensions, including dormer windows, can usually be constructed on a dwelling without formal planning permission if the proposal complies with Permitted Development by virtue of Schedule 2, Part 1, Classes B and C of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Consequently, dormers are a common feature within residential areas and are evident within the wider context of the application site.

9.9 Drawing OC-73 shows that there are no side windows proposed to the rear dormer.

9.10 The closest adjacent neighbour is the rear elevation of No.58 Chesham Road, which sits behind the site, and is approximately 27 metres in distance from the proposed rear dormer window. The rear of No.58 is already overlooked from a number of adjacent properties, and the proposed dormer window would not result in any significant additional levels of harm when compared to the existing overlooking levels. In addition it is generally accepted that there is a certain amount of mutual overlooking into rear gardens within residential urban areas.

9.11 Overall, due to the height, positioning and separation distance between the loft conversion with dormer window and surrounding dwellings houses it is considered that the proposal would result in no significant adverse impact on the residential amenity of the neighbouring properties when considering a loss of daylight, sunlight or privacy. It is therefore considered that the proposal accords with Policy CS12.

### Other Considerations

#### *Parking and access*

9.12 The NPPF (2019), Policies CS8 and CS12 of the Dacorum Borough Core Strategy (2013), 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.

9.13 No changes have been proposed to the existing site access.

9.14 The proposal would result in an additional bedroom being created within the loft space resulting in a two-bedroom dwelling.

9.16 There is one allocated parking space for No.7 which is sited by the front door. No additional off street parking is proposed. A parking stress survey has been submitted in support of the application. Drawing OC-74 illustrates that there are 8 parking bays (4.8m x 2.4m each) i.e. one allocated parking space per flat plus two visitor bays, with additional parking in the layby as shown on the map of restrictions within the submitted parking stress survey.

9.17 The site is within Accessibility Zone 3, and the car parking standard as set out in the Parking SPD (Nov 2020) is 1.5 spaces (allocated parking) for two bedrooms.

9.18 Whilst it is acknowledged that following the creation of the additional bedroom, there would be a shortfall of 0.5 of an allocated parking space, Orchard Court sits in a sustainable location close to Bovingdon High Street. During her site visit, the planning officer noted that the walk at a gentle pace to the High Street was less than 2 minutes, where there are bus stops, food shops, dentist, primary school, pharmacy, doctor surgery and a library for example. The larger supermarket, Tesco is also very close. This supports the information on the map sent as part of the stress survey.

9.19 In terms of additional parking, if required there is on-street un-allocated parking available close by, beyond Apples Cottages around Old Dean and in Hyde Meadows opposite.

9.20 Taking the above into consideration, whilst acknowledging the slight short fall in allocated off street parking provision (0.5), the site does retain one off street allocated parking space; is located in a sustainable location close to facilities, and there is additional on street parking available in the area. On balance it is not considered that the level of harm due to the slight short fall in off parking provision which would result from the creation of the additional bedroom is at such a level to warrant a refusal.

9.21 It is considered that the proposal would not result in any significant additional parking stress within the area nor would it have an unacceptable impact on highway safety.

#### *Tree and Hedges*

9.22 Section 6 of the application form states that no trees or hedges are within falling distance of the proposed development and that no tree or hedges need to be removed or pruned in order to carry out the proposal. The proposal would not affect any significant trees/landscaping.

#### *Archaeology*

9.23 The site is located within an Area of Archaeological Significance. Given the nature of the proposal, with no ground works involved, it is considered that there would be no harm to heritage assets. The proposal complies with Policy CS27 in this regard.

#### *Former Land Use*

9.24 Former land uses mean there is the potential for the site to be contaminated. However again due to the nature of the proposal, above ground level, there are no concerns in respect of contamination.

#### *Response to Neighbour Comments*

9.25 No neighbour comments have been received.

#### *Response from Town Council*

9.26 Objection in respect of the lack of parking. See 'parking and access' section above.

#### CIL Liable

9.27 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 was adopted in February 2015 and came into force on 1 July 2015. CIL relief is available for affordable housing, charities and Self Builders and may be claimed using the appropriate forms.

**No** (below 100sqm)

#### Chiltern Beechwood Special Area of Conservation (SAC)

9.28 The planning application is within Zone of Influence of the Chilterns Beechwoods Special Area of Conservation (CB SAC). The Council has a duty under Conservation of Habitats and Species Regulations 2017 (Reg 63) and Conservation of Habitats and Species (EU exit amendment) Regulations 2019 to protect the CB SAC from harm, including increased recreational pressures.

9.29 A screening assessment has been undertaken and no likely significant effect is considered to occur to the CB SAC therefore an appropriate assessment is not required in this case.

## **10. RECOMMENDATION**

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

**site location plan**  
**OC - 71 existing and proposed elevations**  
**OC - 72 section**  
**OC - 73 proposed floor plans**  
**OC - 74 parking plan**

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.

## APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Bovingdon Parish Council	Object - Due to lack of parking (1 allocated space) as per the comments made at our Planning meeting held on 5 January 2022.  note: comments previously received from Bovingdon Parish Council in January on previously withdrawn application reference 21/04204/FUL (same proposal)

## APPENDIX B: NEIGHBOUR RESPONSES

### Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
23	0	0	0	0

### Neighbour Responses

Address	Comments
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