

**ITEM NUMBER: 5f**

<b>22/01208/FHA</b>	<b>Double side extension with internal remodelling</b>	
<b>Site Address:</b>	<b>15 Cedar Road, Berkhamsted, Hertfordshire, HP4 2LA</b>	
<b>Applicant/Agent:</b>	<b>Tom Dreger &amp; Alexa Fullerton</b>	<b>Mr Grahame Elton</b>
<b>Case Officer:</b>	<b>Sally Robbins</b>	
<b>Parish/Ward:</b>	<b>Berkhamsted Town Council</b>	<b>Berkhamsted East</b>
<b>Referral to Committee:</b>	<b>Contrary view of Berkhamsted Town Council</b>	

**1. RECOMMENDATION**

That planning permission be **GRANTED**.

**2. SUMMARY**

2.1 The principle of residential development in this location is acceptable. The first floor side extension will integrate with the existing dwelling and surrounding area by virtue of its complementary design and scale. Whilst visible from surrounding units, the proposal will not detrimentally impact upon the living conditions of surrounding properties nor will it have a significant impact upon local parking provision.

**3. SITE DESCRIPTION**

3.1 The application site comprises a two-storey semi-detached dwelling located on the south-eastern side of Cedar Road, within the residential area of Berkhamsted. The surrounding area is primarily characterised by medium-sized detached and semi-detached properties. The host property, and many of the surrounding dwellings, have undergone previous extension/alteration.

**4. PROPOSAL**

4.1 The application seeks full planning permission for a two-storey side extension. The extension would be sited over the existing garage and would infill the gap to the rear of the garage at ground floor level. At first floor level the proposed extension would not extend beyond the main rear wall of the parent dwelling.

**5. PLANNING HISTORY**

Planning Applications:

4/01261/19/FHA - Refurbishment of front elevation including installation of two roof lights. Proposed one storey and set back two storey side extension with pitched roof. Single storey rear extension and loft extension with rear Dormer.  
*Granted - 18th July 2019*

4/02615/17/FHA - Single-storey rear extension  
*Granted - 13th December 2017*

4/02371/17/LDP - Removal of chimney, new dormer window to rear, three roof lights to front and conversion of existing hipped roof to gable end  
*Granted - 9th October 2017*

4/03414/15/FHA - First floor side extension and replacement porch  
*Granted - 1st December 2015*

## **6. CONSTRAINTS**

BCA Townscape Group  
Canal Buffer Zone: Minor  
CIL Zone: CIL1  
Parish: Berkhamsted CP  
RAF Halton and Chenies Zone: Yellow (45.7m)  
Residential Area (Town/Village): Residential Area in Town Village (Berkhamsted)  
Residential Character Area: BCA1  
Residential Character Area: BCA2  
Parking Standards: New 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 (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 (SPG/SPD):

Accessibility Zones for the Application of 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)  
Area Based Policies (2004)

## **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), which seek to ensure that extensions maintain the common design characteristics of the row or street within which a house is located, with particular regard to roof line, building pattern and design details.

9.4 The site resides within character area BCA1: Hall Park, according to Dacorum's Area Based Policies Supplementary Planning Guidance (SPG) (2004), which is described as a spaciouly laid out, high quality suburban area of detached housing set on the south-eastern side of the town, featuring housing mainly from the 1930s and 1940s. The development principles state that extensions should normally be subordinate in height and scale to the parent building and should not normally extend beyond the front wall of the parent building that fronts the highway. In terms of detailing, the use of the architectural proportions, themes and details of the parent building are encouraged.

9.5 The surrounding area comprises similarly sized and styled semi-detached dwellings along the southeast side of Cedar Road and larger detached dwellings on the opposite side. Many of the dwellings show evidence of extension / alteration. The first floor side extension would be visible within the street scene, however the two storey rear extension would not be visible from public vantage points. Ground levels increase towards the southwest along Cedar Road, with the application dwelling situated at a higher level than no. 13.

9.6 The proposed first floor side extension would be situated over the existing garage and would extend up to the common boundary with no. 13. The side extension would be set down from the ridge of the main roof and would be set back from the principle elevation, in accordance with the development principles set out in Dacorum's Area Based Policies SPG. First floor side extensions that extend up to the boundary are normally discouraged, however taking into account the neighbour's extension at no. 13 that has extended up to the boundary, albeit with a further set back, it is not considered that the proposed extension would disrupt the common design characteristics found in this area. Furthermore, other properties on Cedar Road have extended up to the boundary at first floor level, including nos. 9 and 18. Sky gaps would not strictly be maintained, however it is considered that the proposed set back at first floor level would give the impression of spacing between the properties when moving up and down the street, i.e. the gap would only appear closed when viewed from straight on. Furthermore, the proposed extension would be visually comparable to others within the streetscene.

9.7 The proposed development would be finished in materials to match the parent dwelling, including white painted render and clay roof tiles.

9.8 Overall, 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 Borough Local Plan, Policies CS10, CS11 and CS12 of the Core Strategy and the National Planning Policy Framework (NPPF) in terms of its visual impact.

#### Impact on Residential Amenity

9.9 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 Dacorum Borough 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.

9.10 An objection has been received from the occupants of no. 13 in relation to light provision and the proposal being visually overbearing. There are first floor side and front facing windows on the neighbouring property, no. 13, however these windows do not appear to serve habitable rooms. No windows are proposed on the side elevation of the application dwelling. The proposed side extension would bring built form closer to no. 13 at first floor level, which would impact upon light provision, however as the neighbouring windows and light tubes serve a hallway, bathroom wardrobe, it is not considered that the impact would be significant enough on these non-habitable rooms to warrant refusal on those grounds. Furthermore, the proposed development would be set at a higher level due to the gradient of the road, however again due to the fact that windows do not serve habitable rooms it is not considered that the proposed development would be visually overbearing.

9.11 No significant concerns have been identified regarding loss of light, overlooking or loss of privacy. It is considered that the proposal is acceptable in terms of residential amenity and in accordance with Policy CS12 of the Core Strategy, Saved Appendix 3 of the Local Plan and the NPPF.

#### Impact on Highway Safety and Parking

9.12 The NPPF, Policies CS8 and CS12 of the Core Strategy, Saved Policy 58 of the Dacorum Borough Local Plan and the Parking Standards SPD (2020) all seek to ensure that new development provides safe and sufficient parking provision for current and future occupiers.

9.13 The parking requirement set out in the Parking Standards SPD states that within Accessibility Zone 3 a five-bedroom house should be assessed on an individual case-by-case basis. For reference, in Zone 3 a four-bedroom house would be expected to provide three off street parking spaces. The existing driveway to the front of the dwelling would be retained and can accommodate three vehicles. The garage space would be retained, however it does not meet the dimension requirements (i.e. 3 metres x 6 metres) as set out in in the Parking Standards SPD. Nonetheless, the application site is located within an accessible location, within walking distance to Berkhamsted town centre and with no parking restrictions evident on Cedar Road. It is therefore considered that the proposed development will have a neutral impact on local parking provision and therefore complies with the above-mentioned policies.

#### Other Material Planning Considerations

##### *Berkhamsted Town Council Objection*

9.14 Berkhamsted Town Council has objected on the grounds of potential loss of amenity to the neighbouring property, lack of parking provision for a five-bedroom dwelling and scale, mass and bulk. As discussed above, it is considered that the proposed development would be clearly visible

from the neighbour's windows; however, as the windows serve non-habitable rooms the impact is not considered significant. The provision of three off-street car parking spaces is acceptable when taking into account the location. The proposed extension would be visible from within the street scene, however it is considered that the common design characteristics of the surrounding area will be maintained.

### Response to Neighbour Comments

9.15 Concerns have been raised by the neighbouring property at no. 13 Cedar Road regarding the existing terrace at no. 15. The terrace was approved via a previous planning application (ref. 4/02615/17/FHA) therefore it would not be relevant to the proposed development or reasonable to impose any conditions relating to this aspect of the application property, for example the retrospective installation of privacy screens. The proposed single storey rear extension would comprise steps leading down to the garden. The new rear door would measure 0.5m above the existing garden level, and 0.6m below the exiting terrace. The proposed development does not comprise any further areas of terracing, therefore it is not considered that there would be any significant additional overlooking or loss of privacy in relation to the existing terrace situation.

9.16 The occupants of no. 13 have also raised concerns relating to the proposed rear facing windows at first floor level. These would be situated closer to no. 13 than the existing windows, however the views would not be dissimilar to the existing windows, thus there would not be a significant loss of privacy. The neighbours are also concerned about the proposed extension being visually overbearing. The proposed extension would be set down from the ridge of the main roof and would therefore be set against the backdrop of existing built form. Hence, it is not considered that the proposal would be unduly overbearing in relation to the existing situation.

### Community Infrastructure Levy (CIL)

9.17 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.

## **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 or the residential amenity of neighbouring occupants. The proposal is therefore in accordance with Saved Appendices 3 and 7 of the Dacorum Local Plan, Policies CS4, CS10, CS11 and CS12 of the Core Strategy and the NPPF.

## **11. RECOMMENDATION**

11.1 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match the existing building in terms of size, colour and texture.**

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:**

**PP-001 LOCATION PLAN**  
**PP-002 SITE PLAN**  
**PP-005 PROPOSED GROUND FLOOR GA PLAN**  
**PP-006 PROPOSED 1ST FLOOR PLAN (received 10 June 2022)**  
**PP-009 PROPOSED ELEVATIONS (received 10 June 2022)**  
**PP-011 PROPOSED LOFT PLAN**  
**PP-023 PROPOSED BLOCK PLAN (received 10 June 2022)**  
**PP-024 PROPOSED HARD STANDING**

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 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**

<b>Consultee</b>	<b>Comments</b>
Parish/Town Council	Objection  The Committee objected to the proposed development on the grounds of potential loss of amenity to the neighbouring property, lack of parking provision for a 5 bedroom dwelling and scale, mass and bulk.  CS12

**APPENDIX B: NEIGHBOUR RESPONSES**

**Number of Neighbour Comments**

<b>Neighbour Consultations</b>	<b>Contributors</b>	<b>Neutral</b>	<b>Objections</b>	<b>Support</b>
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5	1	0	1	0

### Neighbour Responses

Address	Comments
<p>13 Cedar Road Berkhamsted Hertfordshire HP4 2LA</p>	<p>As a boundary neighbour I would like to object to this development.</p> <p>The proposed development at No. 15 is on a hill and the property already towers over No.13. The proposed plans would add an additional storey right against the boundary wall of No.13 and would be extremely and disproportionately high, out of keeping with the street and resulting in a significant loss of light. Additionally, according to the proposed plans, it would cause a 'terracing' effect for which other properties in the same street have had planning permission denied and would completely change the character of the street.</p> <p>Secondly, the owners of No.15 built an extended and raised terrace to the rear in 2018. Due to the confluence of the hill, this terrace is virtually in-line with the top of the boundary fence between the properties meaning that when the residents of No.15 are on the terrace, they can see right down into the garden of No.13. There is also an extremely large tree to the rear of the property in No.15 which already causes a significant reduction of light to the property at No.13, and means that light into our home is reduced throughout most of the day, as well as causing damage to plants and grass in the garden which suffer from the reduced amount of sunlight caused by this tree. If this new development at No.15 is permitted to go ahead, there will be a total barrier along the boundary line of unreasonably high buildings/trees with a small area in-between without any privacy. We are unable to contemplate the total and unreasonable loss of light and privacy from one side of our property due to development which has been permitted through the years so close to the boundary with our own property. This would be totally one-sided as, being higher up the hill, No.15 would only be increasing their privacy by proceeding with the permitted development and thus it would be taking from one neighbour to give to the other.</p> <p>Again, due to the nature of the site of No.15 being higher up the hill, the proposed scale of this new development is totally out-of-character, disproportionate, unreasonable and frankly unnecessary. There is no thought in the proposed plans to combat the effect of terracing from the front, nor the impact of such a large additional structure, so close to another property and how that may impact the light which is allowed to pass through the already few spaces. The additional factor of the large tree to the rear of No.15 should also be factored in when considering how the proposed development may impact neighbouring properties.</p> <p>There is a large window included to the rear of the proposed first floor development which will have full and unimpeded access to the whole of the rear of our property and garden. In fact, the view from this window will have a better view of the garden of No.13 than it will the garden of No.15, removing any remaining privacy that we and our young family</p>

are able to enjoy.

I would welcome the opportunity to discuss this case further with the planning officer responsible, should they so wish.

The amended plans do not address issues raised in the initial comments, thus we would still object to this development based on the reasons previously given.