

ITEM NUMBER: 5e

22/01801/FHA	Loft conversion with rear dormer	
Site Address:	12 Farm Place, Berkhamsted, Hertfordshire, HP4 3AU	
Applicant/Agent:	Mr & Mrs D Smith	Mr STUART COOK
Case Officer:	Jane Miller	
Parish/Ward:	Berkhamsted Town Council	Berkhamsted West
Referral to Committee:	Contrary view of Berkhamsted Town Council	

1. RECOMMENDATION

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

2. SUMMARY

2.1 The application site is located within residential area of Berkhamsted 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 principle of development of a rear dormer of identical size has already been established through the granting Lawful Development Certificate reference 20/04009/LDP (loft conversion including rear facing dormer).

2.3 The main structure of the rear dormer has already been built in accordance with Class B of Part 1 of the Schedule 2 of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2015). In order to comply with Class B matching external roof materials would be required which in this case would be tiles.

2.4 Essentially therefore this application has been submitted in order to seek planning permission to use Grey Anthracite Hardie Cladding as an external material to the dormer in place of matching roof tiles. This material has been used extensively throughout the development known as Farm Place and is therefore considered acceptable.

2.5 The proposed materials are considered 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 cladding would not have any significant adverse impacts on the residential amenity of neighbouring properties.

2.6 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.

2.7 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 on the south east side of Farm Place within a residential area of Berkhamsted. The site comprises a modern two storey end of terrace dwelling.

3.2 The immediate character area comprises similarly designed dwelling houses of relatively identical build, age, height and size; the overall character of the area is evident.

4. PROPOSAL

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

4.2 The property has permitted development rights in place including for Class B of Part 1 of the Schedule 2 of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2015.

4.3 A Lawful Development Certificate for a rear dormer under reference 20/04009/LDP was issued for this application site (12 Farm Place). The size and positioning of the rear dormer remains unchanged on this current application. The structure of the rear dormer has already been constructed.

4.4 This application essentially seeks to change the materials only.

5. PLANNING HISTORY

Planning Applications:

4/02208/11/MFA (TWENTY-SIX RESIDENTIAL UNITS ON TWO STOREYS INCLUDING 12 X 1-BEDROOM FLATS, 8 X 2-BEDROOM FLATS AND 6 X 3-BEDROOM HOUSES. (AMENDMENT RECEIVED 27/4/12 COMPRISING FULL GLAZING TO STAIRWELLS, ADDITION OF CHIMNEYS TO HIGH STREET FRONTAGE, RELOCATE HIGH ST FRONTAGE 1M FURTHER FORWARD, REDUCED DEPTH FRONT COURTYARDS, REDUCED HEIGHT WALLS TO FRONTAGE, INCREASED LANDSCAPING TO FRONTAGE AND INCREASED PRIVATE COURTYARDS TO REAR.)

GRA – 14.06.2012

20/04009/LDP - Loft conversion, including a rear facing dormer.

GRA - 19th February 2021

21/03930/FHA - Loft conversion with three front rooflights.

WDN - 8th December 2021

21/04614/LDP - Insertion of three roof lights to front elevation

GRA - 21st December 2021

6. CONSTRAINTS

BCA Townscape Group

CIL Zone: CIL1

Parish: Berkhamsted CP

RAF Halton and Chenies Zone: Yellow (45.7m)

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

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

Residential Character Area: BCA16

Parking Standards: New Zone 3

EA Source Protection 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 (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

CS8 - Sustainable Transport

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:

Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice (2011)

Parking SPD (November 2020)

9. CONSIDERATIONS

Principle of Development

9.1 The application site is located within a residential area of Berkhamsted, 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's character and appearance upon the existing dwelling house, immediate street scene and residential amenity of neighbouring properties.

Quality of Design / Impact on Visual Amenity

9.2 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.

9.3 It is acknowledged that the size of the dormer is not in accordance with Saved Policy Appendix 7 (Small-scale house extensions) including that the dormer margins are not set in a minimum of 1m from the flank walls. However it is a material consideration that a rear dormer of identical size has already been granted a Lawful Development Certificate reference 20/04009/LDP (loft conversion including rear facing dormer).

9.4 The size and positioning of the rear dormer remains unchanged on this current application. The main structure of the rear dormer has already been built in accordance with Class B of Part 1 of the Schedule 2 of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2015.)

9.5 Essentially therefore the only reason for the submission of this current full householder application (FHA) is that the applicant now seeks permission to clad the outside of the dormer using Grey Anthracite Hardie Cladding.

9.6 Whilst this cladding does not match the materials currently used on the original existing roof (as is required by condition attached to the Lawful Development Certificate in order to comply with the GDPO), such cladding material has been extensively used throughout the development known as Farm Place, and is considered acceptable in this location.

9.7 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 amenity. This accords with the local and national policies mentioned above.

Impact on Residential Amenity

9.8 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.

9.9 It is noted that Berkhamsted Town Council have objected to the application with concern that the neighbour in Dorset Close will be overlooked and suffer loss of amenity.

9.10 As detailed above, importantly it has already been established that a rear dormer of identical size and windows/openings can and has been constructed without the requirement of formal planning permission in accordance with the General Permitted Development Order as confirmed by the issuing of Lawful Development Certificate 20/04009/LDP.

9.11 The approved dormer is currently under construction. This application is submitted solely in respect of seeking to use Grey Anthracite Hardie Cladding as an external materials to the dormer. The alternative external materials now proposed will not result in an adverse impact on the residential amenity of neighbouring properties.

Other Considerations

Parking and access

9.12 The NPPF (2021), 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 The loft conversion will result in an additional bedroom, however, as established, such works can be carried out without the need for formal planning permission or to provide additional off street parking provision. No changes have been proposed to the existing site access or parking provision, which are unallocated spaces within the development site.

9.14 Overall, based on the fact this application relates solely to the change in external materials the proposal would have no impact on highway safety.

Tree and Hedges

9.15 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.

Response to Neighbour Comments

9.16 No neighbour comments have been received.

Response to Town Council

9.17 Objections have been received with regard to insufficient plans, the width of the dormer and a loss of privacy/ overlooking – see comments in full at bottom of report)

9.18 These objections have been addressed above other than the insufficient plans concern. The plans have been checked and the north point is shown on drawing no. 5114-OS1 (location plan).

CIL Liable

9.18 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. The development is not CIL liable as it falls below 100sqm.

Chiltern Beechwood Special Area of Conservation (SAC)

9.19 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.

9.20 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** subject to conditions.

Condition(s) and Reason(s):

1. **The development hereby permitted shall be constructed in accordance with the materials specified on the application form and plans.**

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
5114-P200 plans and elevations as proposed.**

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
Berkhamsted Town Council	Initial comments (11.07.22) The drawings fail to show orientation of the property. Objection ' The proposed flat roofed dormer is shown full width of the roof, contrary to policy SLP App 7. Additional comments (03.08.22) Objection Although the rear dormer is being built, the Committee are concerned that the neighbour in Dorset Close will be overlooked and suffer loss of amenity.

APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
3	0	0	0	0

Neighbour Responses

Address	Comments
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