

ITEM NUMBER: 5b

22/02534/FHA	Proposed part single part two storey side / rear extensions, demolition of existing garage, and associated fenestration alterations.	
Site Address:	2 Nettlecroft Hemel Hempstead Hertfordshire HP1 1PQ	
Applicant/Agent:	Mr Eranda Jayasinghe	Mr Mohamed Benyoub
Case Officer:	Heather Edey	
Parish/Ward:		Boxmoor
Referral to Committee:	Applicant is a DBC Employee	

1. RECOMMENDATION

That planning permission be GRANTED.

2. SUMMARY

2.1 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 development is considered to be acceptable in design terms, noting that the works are not considered to detract from the character and appearance of the streetscene or surrounding area. Furthermore, it is not considered that the proposal would adversely affect the residential amenity of neighbouring properties by being visually overbearing or resulting in a significant loss of light or privacy. Given that the proposal would not result in any changes to the existing site access or adjacent highway, it is not considered that the proposal would generate any highway or pedestrian safety concerns. Sufficient private amenity space and off-street parking provision would be provided for current and future occupiers of the site in line with the relevant policies.

2.2 Given all of the above, the proposal complies with the National Planning Policy Framework (NPPF) (2021), Policies CS1, CS4, CS8, CS11, CS12 and CS29 of the Dacorum Borough Core Strategy (2013), Saved Appendices 3, 5 and 7 of the Local Plan (2004) and the Parking Standards Supplementary Planning Document (2020).

3. SITE DESCRIPTION

3.1 The application site comprises a two storey detached dwellinghouse, situated off Nettlecroft within a designated residential area of Hemel Hempstead. The dwelling is externally finished in dark brown facing brickwork, concrete interlocking roof tiles and comprises a single storey front projection and single storey attached garage to the side.

4. PROPOSAL

Previous Scheme

4.1 Under application 21/03658/FHA, planning permission was granted for the demolition of the existing garage and the construction of part single, part two storey side/rear extensions and associated works. Under this application, the development proposed an increase to the width of an existing single storey side/rear projection, (from 4m to approximately 8.2m), and for the construction of a two storey side/rear extension, projecting 4.1m from the side elevation of the main house, and extending approximately 10.4m deep, (predominantly occupying the footprint of the demolished garage).

Current Scheme

4.2 The current application seeks permission for similar works to those approved under application 21/03658/FHA, proposing the demolition of the existing garage and the construction of part single, part two storey side/rear extensions and associated fenestration alterations. Whilst comprising the same width to the single storey side/rear protrusion approved under the previous scheme, the current application seeks to increase the depth of this structure from 2.9m to 4.1m, and to increase the depth of the previously approved two storey side/rear extension from 2.6m to 5m, (to align with the two storey rear elevation of neighbouring property 3 Nettlecroft).

4.3 The application also proposes a number of minor fenestration alterations to accommodate the property's amended internal layout. In particular, the application proposes to alter first floor windows on the property's front elevation, (replacing two windows with a single opening to facilitate the creation of a home office), install a new ground floor window to the side elevation of the property, (to serve a new playroom), and alter a rear ground floor opening from patio doors to a single window, (to serve the new kitchen).

5. PLANNING HISTORY

Planning Applications:

21/03658/FHA - Proposed part single part two storey side / rear extensions, demolition of existing garage, and all associated works
GRA - 7th December 2021

4/02891/16/FHA - Single storey front and rear extension. Conversion of flat to pitched roof (resubmission of planning permission 4/00971/16/FHA)
GRA - 19th December 2016

4/00971/16/FHA - Single storey front and rear extension. Conversion of flat to pitched Roof.
GRA - 25th May 2016

4/01476/91/FHA - Two storey rear extension
GRA - 29th November 1991

4/00359/91/FHA - Two storey side extension
GRA - 18th April 1991

Appeals: None

6. CONSTRAINTS

CIL Zone: CIL3

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

Supplementary Planning Guidance/Documents:

Accessibility Zones for the Application of Car Parking Standards (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 situated within a designated residential area of Hemel Hempstead wherein Policies CS1 and CS4 are relevant. Policy CS1 of the Dacorum Borough Core Strategy (2013) guides new development to towns and large villages, encouraging the construction of new development and housing in these areas. Furthermore, Policy CS4 of the Dacorum Borough Core Strategy (2013) states appropriate residential development is encouraged in residential areas.

9.3 In light of the above policies, the proposed development is acceptable in principle.

Quality of Design / Impact on Visual Amenity

9.4 The NPPF (2021) states that planning policies and decisions should ensure that new development should be sympathetic to local character and history, including the surrounding built environment and landscape setting. Furthermore, Policies CS11 and CS12 of the Dacorum Borough Core Strategy (2013) and Saved Appendix 7 of the Local Plan (2004) seek to ensure that new development respects adjoining properties in terms of layout, scale, height, bulk and materials.

9.5 The application proposes the demolition of the existing garage and the construction of part single storey, part two storey side and rear extensions, with associated fenestration alterations.

9.6 The proposed side extensions would significantly alter the visual appearance of the existing dwelling, increasing its visual bulk, mass and prominence in the streetscene.

9.7 It is however considered that these additions have been sympathetically designed to appear subordinate to the main house, noting that the new single storey element of the new extension would be positioned approximately 1.5m set back from the front elevation of the existing single storey front projection, and noting that the two storey element of the new side extension would be positioned set down from the existing ridge.

9.8 Taking the above into account and noting that properties sited along Nettlecroft are typically large, visually bulky, detached structures; mixed in terms of their architectural style, design and roof form, it is considered that the resultant dwelling would sit comfortably alongside neighbouring properties in the streetscene, respecting the streetscape character.

9.9 Whilst not visible within the streetscene, the proposed rear extensions are also considered to be acceptable in design terms, with both additions respecting the character and appearance of the main house by way of their roof form and subservient appearance.

9.10 The application also proposes minor fenestration alterations to the previously approved scheme. Given the nature and modest scale of these alterations, and noting that all new windows would comprise an external appearance similar to that of existing windows, these works are considered to be acceptable in design terms, harmonising with the character of the main house.

9.11 With regards to materials, the application proposes that all new additions be constructed in materials to match the main house, including matching facing brickwork, concrete interlocking roof tiles and matching uPVC window finishes. These material finishes are considered to be acceptable, enabling the proposed additions to harmonise with the original design and character of the main house.

9.12 Given the above assessment, the proposed development is considered to be acceptable in design terms and in terms of its impact on visual amenity, respecting adjoining properties and integrating with the character and appearance of the streetscene. As such, the proposal accords with Policies CS11 and CS12 of the Core Strategy (2013), Saved Appendix 7 of the Local Plan (2004) and the NPPF (2021).

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 The application site shares side boundaries with neighbouring properties 1 and 3 Nettlecroft and rear boundaries with properties 48 and 50 Crouchfield.

Impact on 48 and 50 Crouchfield

9.15 Given the scale and positioning of the proposed extensions and noting the separation distances that would be retained between these additions and neighbouring properties 48 and 50 Crouchfield, it is not considered that the proposal would have any adverse impacts on the residential amenity of these neighbouring properties.

Impact on 1 Nettlecroft

9.16 By reason of its scale and positioning, (i.e. noting its siting approximately 7.5m away from the shared boundary with no. 1 Nettlecroft), it is not considered that the proposed part single, part storey side/rear extension would have any adverse impacts on the residential amenity of this neighbouring property by way of being visually overbearing or resulting in a significant loss of light. Furthermore, given that no first floor windows are proposed to the side elevation of this addition, it is not considered that this element of the proposal would facilitate any harmful overlooking of this property.

9.17 The application proposes an increase to the depth of an existing single storey side/rear protrusion from 2.3m to 4.3m. Whilst projecting slightly deeper than the rear elevation of 1 Nettlecroft, it is not considered that this addition would appear visually overbearing, given its modest height and positioning approximately 0.9m away from the shared boundary with this property. Furthermore, given that this addition would clear a 45 degree line taken from the nearest habitable window of this neighbouring property, and noting that the structure would comprise no high level windows, it is not considered that this addition would result in a significant loss of light or privacy to this property.

9.18 By reason of their nature, scale and positioning, it is not considered that the proposed fenestration alterations would facilitate any harmful overlooking of 1 Nettlecroft. Whilst a new window is proposed to the side elevation of the dwelling facing towards this neighbouring property, it is noted that this opening would be installed at ground floor level, (therein being predominantly screened by way of the existing boundary treatment), and that this opening would face the blank flank wall of this dwelling.

Impact on 3 Nettlecroft

9.19 By reason of their nature, scale and positioning, it is not considered that the proposed fenestration alterations would have any adverse impacts on the residential amenity of 3 Nettlecroft, by way of facilitating any harmful overlooking or appearing visually intrusive.

9.20 Whilst the application proposes an increase to the depth of the existing single storey rear extension, this addition would be sited behind the proposed part single, part two storey side/rear extension. Taking this into account, it is not considered that this addition would have any adverse impacts on the residential amenity of this neighbouring property by way of being visually overbearing or resulting in a significant loss of light or privacy.

9.21 The proposed side/rear extension has been designed to avoid obstructing sunlight/daylight to the existing windows/rooms of neighbouring property 3 Nettlecroft, with the proposed extension being positioned set down to single storey level to clear a 45 degree line taking from the nearest habitable first floor window of this neighbouring property. Given that drawing 73028-3101 A evidences that the proposal would accord with the '45 degree test', (as set out under the Building Research Establishment's - Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice - 2011), it is not considered that the proposal would have a significantly detrimental impact on lighting levels received by neighbouring property 3 Nettlecroft.

9.22 No new openings have been proposed at first floor level to the flank elevation of the new two storey side/rear extension. Furthermore, whilst the application proposes the creation of a new first floor balcony, this would be of Juliet style, (i.e. comprising no platform or external access), and as such, could not be used to provide any additional views that could not already be experienced by way of a rear first floor window.

9.23 Taking everything above into account, and noting the orientation of neighbouring property 3 Nettlecroft in relation to the application dwelling and that the two storey rear element of the extension would align with the rear elevation of this neighbouring property, it is not considered that this element of the proposal would result in a significant loss of privacy or appear visually overbearing to this neighbouring property.

9.24 In light of the above assessment, the proposal is considered to be acceptable in terms of its impact on the residential amenity of neighbouring properties, noting that it would not appear visually overbearing or result in a significant loss of light or privacy to properties 1 and 3 Nettlecroft and 48 and 50 Crouchfield. As such, the proposal accords with Saved Appendix 3 of the Local Plan (2004), Policy CS12 of the Core Strategy (2013) and the NPPF (2021).

Impact on Highway Safety and Parking

9.25 The NPPF (2021), Policies CS8 and CS12 of the Dacorum Borough Core Strategy (2013) and Saved Policy 58 of the Local Plan (2004) all seek to ensure that new development provides safe and sufficient parking provision for current and future occupiers.

9.26 The proposed development would not involve any changes to the existing site access or adjacent highway, and as such, it is not considered that the proposal would generate any highway or pedestrian safety concerns.

9.27 The proposal would however alter the existing car parking arrangements, (i.e. through the proposed demolition of the existing garage). Whilst the submitted plans indicate that the property would remain a three bed dwelling following construction of the works, the proposed home office is considered to be of sufficient scale to accommodate a further bedroom, (permission would not be required to convert this room at a later stage). With this in mind, it is considered that the level of off-street car parking provision required to serve the development should be assessed on the assumption that the dwelling could later be altered to form a four bed dwelling, (as indicated under previously approved application 21/03658/FHA).

9.28 The Council's car parking standards, (as set out in the Parking Standards Supplementary Planning Document 2020), state that a four bed property in this area should provide three off-street car parking spaces.

9.29 Whilst the proposal would result in the demolition of the existing attached garage, (and therefore associated loss of an off-street car parking space), the dwelling comprises a large front driveway, which could be used to facilitate off-street car parking for three cars (as evidenced on drawing reference 73028-3500 A). Taking this into account, it is considered that the site accommodates sufficient off-street car parking provision for current and future occupiers of the site, and as such, no concerns are raised in this regard.

Other Material Planning Considerations

Amenity Space

9.30 Saved Appendix 3 of the Dacorum Borough Local Plan (2004) seeks to ensure that new development retains sufficient private amenity space for future occupiers, stating that private gardens should normally be positioned to the rear of the dwelling and have an average minimum depth of 11.5m.

9.31 Given that the existing dwelling would retain a garden measuring approximately 15m deep following the completion of the proposed works, it is considered that sufficient private amenity space would be retained for current and future occupiers of the site.

Response to Neighbour Comments

9.32 An objection has been received from neighbouring property 3 Nettlecroft, with concerns raised that the proposed part single, part two storey side/rear extension would result in a loss of a sense of perceived space between the two properties, appearing out of keeping with the character and

appearance of the streetscene and generating a sense of enclosure. Concerns have also been raised that the increased depth to the structure, (when considered alongside the scale/positioning of the rear first floor opening to the master bedroom), would result in a significant loss of privacy to the rear garden of this property.

9.33 Whilst the side element of the proposed part single, part two storey extension would to some extent reduce the perceived sense of space between the two properties, it is considered that the gap retained between the dwellings is sufficient to ensure that the development respects the character and appearance of the streetscene, (i.e. avoiding the terracing effect and ensuring that both properties are perceived as detached dwellings). In reaching this view, consideration has been given to the existing relationship between the application dwelling and 3 Nettlecroft, the pattern of development along Nettlecroft, (i.e. noting that properties in the streetscene are often set quite close to shared boundaries), and the nature of the development, (i.e. noting that the new addition would largely replace the existing single storey side/rear garage structure).

9.34 Furthermore, given that a gap would be retained between the development and noting that the rear element of the extension does not project any deeper than the rear elevation of 3 Nettlecroft, it is not considered that the development would create a sense of enclosure or be perceived as visually overbearing to this property.

9.35 Given the orientation of 3 Nettlecroft in relation to the existing dwelling and the positioning of the proposed first floor opening, it is not considered that this opening would facilitate any harmful overlooking of this neighbouring property.

Community Infrastructure Levy (CIL)

9.36 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. The application is not CIL liable.

10. CONCLUSION

10.1 The application is recommended for approval.

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 development is considered to be acceptable in design terms, noting that the works are not considered to detract from the character and appearance of the streetscene or surrounding area. Furthermore, it is not considered that the proposal would adversely affect the residential amenity of neighbouring properties by being visually overbearing or resulting in a significant loss of light or privacy. Given that the proposal would not result in any changes to the existing site access or adjacent highway, it is not considered that the proposal would generate any highway or pedestrian safety concerns. Sufficient private amenity space and off-street parking provision would be provided for current and future occupiers of the site in line with the relevant policies. Given all of the above, the proposal complies with the National Planning Policy Framework (2021), Policies CS1, CS4, CS8, CS11, CS12 and CS29 of the Dacorum Borough Core Strategy (2013), Saved Appendices 3, 5 and 7 of the Local Plan (2004) and the Parking Standards Supplementary Planning Document (2020).

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.

- 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).

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

73028-3100 A
 73028-3101 A
 73028-3102 A
 73028-3200 A
 73028-3201 A
 73028-3300 A
 73028-3500 A
 TQRQM20359124130026

Reason: For the avoidance of doubt and in the interests of proper planning.

Informatives:

- 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

APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
6	1	0	1	0

Neighbour Responses

Address	Comments

3 Nettlecroft

We note this is an amended application which further extends the 2-storey footprint to the rear of the property by 3m bringing it into line with our own. We are objecting based on a loss of privacy however, there is further context that we would like to highlight.

Due to the shape of the road, no 2 is set forward from our own property by around 4.3m. The existing 2 storey part of the property is relatively small. This leads to a sense of space between the two.

The proposal will mean a large increase in the 2-storey footprint both ahead of and toward our property. We were always unhappy with two consequences of this (although did not feel we could object based on the principle that we must accept some change).

Point 1

Loss of perceived space between the two properties (will be around 1m at closest point). No other two properties in the road are this close.

Point 2

Sense of being "closed in" by a new 2-storey wall just 1m from our boundary which we feel will be imposing as we walk out of the property and as we look out of our bedroom window (due to being so close)

We highlight these two points for context. Not because we are specifically objecting to them in isolation. The main issue is the further extension to the rear of the property and in particular, the second storey.

At present there is around 5.5m from the back of our property to the back of (the 2-storey part of) no 2. There are only two windows in view for us and neither really represents any compromise to privacy because the property sits forward of our own. In the originally accepted plans (Ref. No: 21/03658/FHA), the rear of the property (2-storey part) was to be extended by around 2.5m. Although we felt that the large Juliet window proposed was quite prominent and might result in some lost privacy for us, the fact that the property sat overall in a natural balance to its neighbours (again, making reference to the shape of the road) and therefore because we had this 3m comfort gap, we felt we had no grounds to object.

By bringing the extension back to be in line with our property, we fear that we will lose any sense of privacy in our back garden. In particular, the new position of the bedroom window will (again, noting its size) allow a direct view down into our hot tub which has been in place for over 2 years.

So, our objection is based on the following:

When combined, the size of the extension to the front, the narrowing gap between the two properties and the rear face of no 2 being in line with our own, the property will be out of natural balance set by the shape of the road. It will be imposing when viewed from our front door, our front bedroom and from our garden.

The view from the proposed master bedroom to our garden (in particular, noting the size of the window proposed) will result in a serious loss of privacy and will impact on enjoyment of our garden and home in general as a result.

	<p>In summary, whilst some elements of planning will always be subjective, to allow some protection to our privacy and to respect the natural balance of properties in relation to the road, we strongly feel the 2nd storey part of this development should be limited to the footprint proposed in the originally accepted plans (Ref. No: 21/03658/FHA).</p>
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