

ITEM NUMBER: 5c

22/00921/FHA	Two storey side/rear extension and single storey rear extension.	
Site Address:	2 Chapel Close, Little Gaddesden, Berkhamsted, Hertfordshire HP4 1QG	
Applicant/Agent:	Mrs Joe Wrigley	Mr Joe Wrigley
Case Officer:	Heather Edey	
Parish/Ward:	Little Gaddesden Parish Council	Ashridge
Referral to Committee:	Contrary View of Parish Council	

1. RECOMMENDATION

That planning permission be GRANTED.

2. SUMMARY

2.1 The proposed development is considered to be acceptable in principle, reflecting small-scale development in the Rural Area in accordance with Policy CS7 of the Dacorum Borough Core Strategy (2013). The proposed extensions are also considered to be acceptable in design/visual terms, integrating with the character and appearance of the main house, countryside and wider Chilterns Area of Outstanding Natural Beauty. Furthermore, given the nature, scale and positioning of the extensions and noting the existing relationship between the application dwelling and neighbouring properties, it is not considered that the proposal would adversely affect the residential amenity of neighbouring properties by way of being visually overbearing or resulting in a significant loss of light or privacy.

2.2 The proposed works would not result in any changes or alterations 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. Whilst generating a shortfall in off-street car parking provision, it is not considered that a refusal of the proposal on parking grounds could be sustained, given the nature of the development and noting that the submitted Parking Stress Survey and associated document indicate that there is sufficient spare capacity to accommodate additional vehicles in the communal parking area to the front of the site. Sufficient private amenity space would also be retained for current and future occupiers of the site.

2.3 Given everything considered above, the proposal complies with the National Planning Policy Framework (NPPF) (2021), Policies CS1, CS7, CS8, CS11, CS12, CS24 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 semi-detached dwellinghouse, situated off Chapel Close, within the designated Rural Area and Chilterns Area of Outstanding Natural Beauty. Chapel Close is characterised as a small cul-de-sac, consisting of two storey semi-detached dwellings with hipped roofs, externally finished in render. Whilst there are examples of properties comprising a modest front parking area, Chapel Close is characterised as comprising a high level of on street car parking.

3.2 The application dwelling has undergone a number of previous extensions, (responding to the unique shape of the plot), and as such, the resultant building comprises a confused form. The building is of mixed use, functioning as both a family home and childminding business, following the consent issued under application 4/00103/13/RET.

4. PROPOSAL

4.1 Planning permission is sought for the construction of a two storey extension, predominantly built over the footprint of an existing single storey side projection, with the addition of a rear protrusion extending approximately 3.7m deep. The application also proposes an approximate 3m deep extension to an existing single storey rear protrusion, to replace a temporary timber structure installed in the property's rear garden.

5. PLANNING HISTORY

Planning Applications (If Any):

4/02973/17/FHA - First floor rear extension
GRA - 24th January 2018

4/00103/13/RET - Mixed use of the site for residential purposes and child-minding business for up to 24 children under the age of 14 on site at any one Time.
GRA - 11th June 2013

4/01275/12/FHA - Single storey front extension
GRA - 24th September 2012

4/01487/09/FHA - Loft conversion with rear dormer
GRA - 27th November 2009

4/02286/07/FHA - Loft conversion
WDN - 13th November 2007

4/00863/00/FHA - Side and rear extensions
GRA - 13th July 2000

6. CONSTRAINTS

Area of Outstanding Natural Beauty: CAONB outside Dacorum
CIL Zone: CIL1

Former Land Use (Risk Zone):

Parish: Little Gaddesden CP

Rural Area: Policy: CS7

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 (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
CS7 – Rural Area
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 the designed Rural Area wherein Policy CS7 is relevant. Policy CS7 of the Dacorum Borough Core Strategy (2013) states that small-scale development is permitted within the Rural Area for 'limited extensions to existing buildings' provided the works have no significant impact on the character and appearance of the countryside and support the rural economy and maintenance of the wider countryside.

9.3 Policy CS7 fails to specify what constitutes a 'limited extension.' Given that the guidance for assessing extensions in the Rural Area, (as set out under Policy 22 of the Dacorum Borough Local Plan, 2004), is inconsistent with the NPPF (2021), it is concluded that assessments of proposals against this policy are a matter of planning judgement, to be made with reference to objective facts, (such as size and height), and other material planning considerations, (including the bulk, mass and visual prominence of the development).

9.4 The proposed extensions are considered to be modest in terms of their scale and height, therein constituting 'limited extensions', with the proposed two storey extension predominantly occupying the footprint of an existing single storey side extension, (with the addition of an approximate 3.7m deep rear projection), and the proposed single storey extension appearing a modest continuation of an existing single storey rear extension. Taking this into account and noting the nature of the additions and their subordinate appearance, (in particular, the siting of the two storey side extension, significantly set back from the front elevation of the main house and set down from its roof), it is not

felt that the proposed extensions would dominate the main house, detracting from the character and appearance of the countryside or adversely impacting the rural economy.

9.5 Given the above assessment, the proposal is considered to be acceptable in principle, reflecting appropriate development in the Rural Area in accordance with Policy CS7 of the Core Strategy (2013).

Quality of Design / Impact on Visual Amenity

9.6 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.

9.7 Whilst not visible from public vantage points along Hudnall Lane, the side element of the proposed two storey extension would be visible within the streetscene, from public vantage points along Chapel Close.

9.8 Whilst the additional built form would increase the visual bulk and mass of the dwelling, it is not considered that the addition would appear an overtly prominent addition to the streetscene, given its siting significantly set back from the front elevations of the main house and existing two storey side extension, and set down from the roof of both structures. Furthermore, given that this addition would be constructed in materials to match those of the main house, (including matching white render walls, clay tile roof and white uPVC window finishes), it is considered that the addition would integrate well with the main house, respecting adjoining properties.

9.9 The proposed two storey and single storey rear extensions would not be visible within the streetscene or from any public vantage points. These additions are however also considered to be acceptable in design terms, harmonising with the character and appearance of the main house by way of their scale, height, design and matching material finishes.

9.10 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 main house and wider 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 Chilterns Area of Outstanding Natural Beauty (AONB)

9.11 Policy CS24 of the Core Strategy (2013) and the Chilterns Building Design Guide (2010) seek to ensure that new development preserves the special qualities and characteristics of the Chilterns AONB, protecting the scarp slope from development that would have a negative impact on its skyline.

9.12 Given the nature and scale of the proposed development, and noting that the extensions would be sited and viewed within the backdrop of a predominantly residential context, it is not considered that the development would detract from the special qualities and characteristics of the Chilterns AONB or that it would have a negative impact on its skyline.

9.13 The proposal is therefore acceptable in terms of its impact on the Chilterns AONB, according with Policy CS24 of the Core Strategy (2013) and the Chilterns Building Design Guide (2010).

Impact on Residential Amenity

9.14 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.

9.15 The application site shares boundaries with neighbouring properties 1 and 3 Chapel Croft and 9 and 10 The Lye.

Impact on 9 and 10 The Lye

9.16 Given the nature and scale of the development and the separation distances that would be retained between the proposed additions and these neighbouring properties, it is not considered that the proposal would have any adverse impacts on the residential amenity of these neighbouring properties.

Impact on 1 Chapel Close

9.17 The side element of the proposed two storey extension would be largely screened from view of 1 Chapel Close by way of its scale, height and siting. Whilst visible to 1 Chapel Close, it is not considered that the rear element of the proposed two storey addition would appear visually intrusive or result in a significant loss of light or privacy to this neighbouring property, given its design, (noting that no first floor windows are proposed to the flank elevation facing this property), and noting its siting approximately 8m away from the shared boundary.

9.18 Whilst the proposed single storey rear addition would extend within close proximity of the shared boundary, it is not considered that the resultant structure would appear visually overbearing or that it could be used to facilitate any harmful overlooking of this property, given that the structure would remain modest in height, (comprising a maximum height of 3.1m), and would be largely screened from view by way of the existing boundary treatment between the two properties.

9.19 Given that the existing single storey rear extension breaches a 45 degree line taken from the nearest habitable window of 1 Chapel Close on floor plan view, this line would also be breached by the resultant single storey rear extension. However, when plotted on elevation view, the proposed single storey rear extension would clear the 45 degree line, therein indicating that the development would have no significant adverse impact on the lighting levels received by this neighbouring property in accordance with the guidance set out in the Building Research Establishment's (BRE) - Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice (2011).

Impact on 3 Chapel Close

9.20 By reason of its scale, height and siting, the proposed single storey rear extension would not be visible to 3 Chapel Close and as such, would not have any adverse impacts on the residential amenity of this neighbouring property.

9.21 Whilst the proposed two storey extension would be set within close proximity of the shared boundary, 3 Chapel Close is set off and angled away from the shared boundary and application dwelling. In light of this, and noting the massing and design of the proposed two storey extension, it is not considered that this addition would appear visually overbearing. Furthermore, given that no new first floor windows are proposed to the flank elevation of the extension facing this neighbouring property, it is not considered that the development would result in a significant loss of privacy.

9.22 Whilst 3 Chapel Close comprises two windows to the flank elevation facing the application dwelling, (including one first floor and one ground floor level window), these windows both serve non-habitable rooms, and as such, the 25 degree lighting tests would not apply.

9.23 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, therein according 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

9.24 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.

9.25 Given that the proposal would not involve any changes or alterations to an existing access or public highway, it is not considered that the development would generate any highway or pedestrian safety concerns.

9.26 The proposed development would however alter the property from a four to five bed dwelling, therein generating the requirement for additional off-street car parking provision to be provided. Whilst the Parking Standards Supplementary Planning Document (2020) states that the level of off-street car parking provision required for a dwellings comprising more than four bedrooms should be assessed on an individual case-by-case basis, this document notes that a four bed dwelling in this location should provide off-street parking for three cars. With this in mind, it is therefore considered that three car parking spaces would reflect the minimum level of parking provision required to be provided by the property.

9.27 The site does not currently provide any off-street car parking spaces. Given that these arrangements would remain unchanged following completion of the works, it is concluded that the proposal would generate a shortfall of three car parking spaces.

9.28 Whilst falling short of the Council's car parking standards, Paragraph 6.10 of the Parking Standards Supplementary Planning Document (2020) sets out a number of instances within which deviations to the Council's car parking standards can be considered acceptable. In particular, this document accepts that a flexible approach should be adopted in instances where there is evidence to indicate that there is sufficient spare capacity to accommodate on street parking in the immediate area, (as evidenced via a Parking Stress Surveys), and wherein the nature, type and location of the development is likely to make the shortfall of parking generated by the development acceptable.

9.29 A Parking Stress Survey has been submitted in support of the application, this document concluding that there is sufficient capacity on-street to accommodate the additional parking need as a result of the development.. The survey was not completed in accordance with the specifications set out under Appendix C, (noting that the survey was completed outside of school term time), and as such a follow up document was submitted by the Agent, comprising photos indicating the existing parking stress levels during term time, (in accordance with the dates/times specified by Appendix C).

9.30 Whilst the formal Parking Stress Survey was not completed during school term time, additional photographic evidence has been submitted and, on balance, the overall approach adopted and conclusions reached are considered acceptable. Whilst Appendix C of the Parking Standards Supplementary Planning Document (2020) notes that Parking Stress Surveys can extend to within a 200m radius of a site, the radius used in the submitted survey was limited to Chapel Close only, with consideration given to the unique context of the site. In particular, the assumption that it would be unreasonable to assume that residents would park away from Chapel Close and walk to the property is accepted, given that this would require them to cross Hudnall Lane; a road along which there is no formal footpath and vehicular movements are frequent and fast moving. This approach is welcomed

and whilst it would give unfavourable results, it does give a more realistic picture of the actual parking levels available in the street.

9.31 Taking everything above into account and noting the scale of the development, (noting that the development would result in the creation of a single additional bedroom, therein being unlikely to significantly intensify the parking situation for the existing dwelling), it is not considered that a refusal of the proposal on parking grounds could be justified or sustained.

9.32 In light of everything considered above, the proposal is considered to be acceptable on highway/pedestrian safety and parking grounds, according with Policies CS8 and CS12 of the Dacorum Borough Core Strategy (2013), the Parking Standards Supplementary Planning Document (2020), Saved Policy 58 of the Local Plan (2004) and the NPPF (2021).

Other Material Planning Considerations

Amenity Space

9.33 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.

9.34 Given that the existing dwelling would retain a garden measuring approximately 19m 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.

Contamination

9.35 The site falls within a Former Land Risk Zone for contamination, and in light of this, the DBC Scientific Officer was consulted on the scheme and asked to assess whether the proposal would be likely to give rise to any concerns in relation to ground contamination.

9.36 The DBC Scientific Officer has raised no objections to the scheme on the grounds of land contamination, noting that there is no requirement for further contaminated land information to be provided.

Mixed Use

9.37 The application building is of mixed use, functioning as both a family home and childminding business. Whilst the proposed extensions to the existing building would provide enhanced space and facilities for the existing family and childcare facility, it is noted that the development does not propose any changes or increases to the existing childminding business. As such, the existing childcare business would continue to be run in accordance with the conditions and limitations agreed under application 4/00103/13/RET, (i.e. with this permission ensuring that the business facilitates childminding for no more than 24 children under the age of 14 at any one time).

9.38 Given that the existing childminding business would not be increased following completion of the works, it is not considered that the development would generate additional parking or noise/disturbance concerns in this regard.

Response to Neighbour Comments

9.39 One neighbour has commented on the application, confirming that they support the development, on the grounds that the works would improve the visual appearance of the dwelling, (by way of replacing a temporary timber structure erected by the Applicant).

Response to Parish Comments

9.40 The Parish Council have reviewed the scheme and raised objection to the development on the following grounds:

- The proposal would constitute over-development of a small plot and appear visually overbearing to neighbouring properties
- The proposal fails to provide sufficient off-street car parking provision for future occupiers, therein generating increased parking pressures
- The proposal would have adverse implications on the Chiltern Beechwood Special Area of Conservation (CBSAC), by way of intensifying an existing residential use.

9.41 Whilst it is accepted that the dwelling has undergone a number of previous extensions, it is not considered that a refusal of the scheme on the grounds of overdevelopment could be sustained, given that the site remains of sufficient scale to accommodate the needs of a large dwelling, (i.e. as indicated by way of the resultant private amenity space).

9.42 The proposals impact on neighbouring properties, (in terms of being visually overbearing), and the proposals' impact on parking have been considered during earlier sections of the report. With regards to the CBSAC, the proposed extensions would be used by existing occupants of the dwelling in connection with the main house and as such, it is not considered that the proposal would have a significantly adverse impact on the CBSAC by way of additional recreational pressure. A screening assessment of the development has been undertaken in this regard, with the conclusions of this assessment indicating that no further assessment is required.

Community Infrastructure Levy (CIL)

9.43 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, reflecting small-scale development in the Rural Area in accordance with Policy CS7 of the Dacorum Borough Core Strategy (2013). The proposed extensions are also considered to be acceptable in design/visual terms, integrating with the character and appearance of the main house, countryside and wider Chilterns Area of Outstanding Natural Beauty. Furthermore, given the nature, scale and positioning of the extensions and noting the existing relationship between the application dwelling and neighbouring properties, it is not considered that the proposal would adversely affect the residential amenity of neighbouring properties by way of being visually overbearing or resulting in a significant loss of light or privacy.

10.3 The proposed works would not result in any changes or alterations 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. Whilst generating a shortfall in off-street car parking provision, it is not considered that a refusal of the proposal on parking grounds could be sustained, given the nature of the development and noting that the submitted Parking Stress Survey and associated document indicate that there is sufficient spare capacity to accommodate additional vehicles in the communal

parking area to the front of the site. Sufficient private amenity space would also be retained for current and future occupiers of the site.

10.4 Given everything considered above, the proposal complies with the National Planning Policy Framework (NPPF) (2021), Policies CS1, CS7, CS8, CS11, CS12, CS24 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.

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:**

**2107-PL-60
2107-PL-61
2107-PL-52
2107-PL-50 Rev B
2107-PL-51
2107-PL-100 Rev A
Design and Access Statement Rev A (dated 20th June 2022)
Chapel Close Parking Stress Survey (dated August 2022)
Chapel Close Parking Stress Survey (dated September 2022)**

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

Consultee	Comments
Parish/Town Council	<p>Little Gaddesden Parish Council have reviewed this application and object for the following reasons:-</p> <p>' We felt that it constituted over-development of a small plot and would be overbearing to the neighbouring property.</p> <p>' The addition of another bedroom (to make 5) is potential for higher occupancy and greater car usage. Chapel Close has inadequate parking provision as it is and any further usage would create more problems.</p> <p>' Another bedroom also implies more intensive residential use leading to potential higher footfall in Chiltern Beechwoods SAC. Chapel Close is approximately 1000 metres from the SAC so quite close to the 500m exclusion zone.</p>
Environmental And Community Protection (DBC)	<p>Having reviewed the application submission and the ECP Team records I am able to confirm that there is no objection on the grounds of land contamination. Also, there is no requirement for further contaminated land information to be provided, or for contaminated land planning conditions to be recommended in relation to this application.</p>

APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
8	1	1	0	0

Neighbour Responses

Address	Comments
<p>9 The Lye Little Gaddesden Berkhamsted Hertfordshire HP4 1UH</p>	<p>The proposed extension would presumably replace the existing temporary structures which would represent an improvement from an aesthetic point of view.</p> <p>Although it would be a sizeable extension and the house would effectively become a purpose-built nursery school, I'm content to leave the question of land use and whether or not it would be in keeping with the character with the area to the planning authority.</p> <p>It's not clear if the large timber and multicoloured plastic climbing frames, towers, scrambling nets, etc would be removed or what their current planning status is.</p>