

**ITEM NUMBER: 5e**

<b>23/00102/FHA</b>	<b>Demolition of existing rear extension, new side infill side extension with rooflights and oriel window seat. Relandscaping of rear garden with new levelled patio. Conversion of attic to accommodate a bedroom/study. New rear dormer and front and rear rooflights.</b>	
<b>Site Address:</b>	<b>11 North Road Berkhamsted Hertfordshire HP4 3DU</b>	
<b>Applicant/Agent:</b>	<b>Mr and Ms Niclas and Laura Thomas and Pallett</b>	<b>Mr James Lai</b>
<b>Case Officer:</b>	<b>Nicole Quinn</b>	
<b>Parish/Ward:</b>	<b>Berkhamsted Town Council</b>	<b>Berkhamsted East</b>
<b>Referral to Committee:</b>	<b>Contrary views of Town Council</b>	

**1. RECOMMENDATION**

That planning permission be **GRANTED**.

**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 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 or conservation 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 or 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 and CS27 of the Dacorum Borough Core Strategy (2013), Saved Appendices 3 and 7 of the Dacorum Borough Local Plan (2004) and the Parking Standards Supplementary Planning Document (2020).

**3. SITE DESCRIPTION**

3.1 The application site is located to the western side of North Road and comprises an end of terrace property within the Berkhamsted Conservation Area. The property is attractive with full height projecting bay windows with red brick detailing. The property faces the highway but is set behind a small front garden. Parking is provided on street.

**4. PROPOSAL**

4.1 Demolition of existing rear extension, new side infill extension with rooflights and oriel window seat. Re-landscaping of rear garden with new levelled patio. Raising of existing roof ridge to facilitate conversion of attic to accommodate a bedroom/study. New rear dormer and front and rear rooflights.

4.2 The proposed development has been amended since the initial submission to overcome issues raised by Conservation and Design.

**5. PLANNING HISTORY**

Planning Applications:

4/03165/17/FHA - Single storey rear extension  
*GRANTED - 31st January 2018*

4/02460/07/FHA - Removal of chimney stack from rear roof and alterations to windows in side elevation  
*GRANTED - 27th November 2007*

## **6. CONSTRAINTS**

BCA Townscape Group  
CIL Zone: CIL1  
Berkhamsted Conservation Area  
Parish: Berkhamsted CP  
Residential Area (Town/Village): Residential Area in Town Village (Berkhamsted)  
Parking Standards: New Zone 3  
EA Source Protection Zone: 2  
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 (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  
CS27 – Quality of the Historic Environment  
CS29 - Sustainable Design and Construction

Supplementary Planning Guidance/Documents:

Accessibility Zones for the Application of Car Parking Standards (2020)  
Roads in Hertfordshire, Highway Design Guide 3rd Edition (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 application site is located within a residential area of Berkhamsted, where 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

9.3 Chapter 12 of the National Planning Policy 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 application site is situated within the Berkhamsted Conservation Area. Therefore the design and appearance of the proposed development to the property needs to be sympathetic to the conservation area and the surrounding environment and its heritage. The Planning (Listed Buildings and Conservation Areas) Act 1990 requires that local authorities should have special regard to preserving the setting of listed buildings. This requirement should be given great weight in the planning process. The impact of the development proposals on local conservation areas must also be assessed as required by section 72(1) of the Act.

9.5 Paragraph 199 of the Framework states that great weight should be given to the conservation of heritage assets when considering the impact of a proposed development. Policy CS27 requires development to protect, conserve and where appropriate enhance the integrity, setting and distinctiveness of heritage assets.

9.6 The proposed development includes a new rear extension which is large in size, however the depth of the proposed extension is less than the existing extension at its deepest point. The proposed extension does extend the whole width of the existing dwelling, however as the proposed extension is single storey only it is considered a subordinate addition to the host dwelling. The proposed extension is considered to be appropriate in terms of its design, bulk, scale and use of materials and will have limited impact on the character and appearance of the conservation area as it is located to the rear.

9.7 There is a proposed dormer to the rear elevation of the dwelling, due to the limited size, scale and location of the dormer it is considered acceptable. The proposed rooflights do not raise any concerns in terms of design.

9.8 The proposed works to the rear patio are considered acceptable in terms of design.

9.9 The design of the proposed development is complimentary to the host dwelling and the street scene and therefore will have a limited impact on the Berkhamsted Conservation Area. Conservation and Design were consulted on the application and stated there is no objection to the proposed development.

9.10 Regard has been had to the statutory tests of preserving or enhancing the character and appearance of Conservation Area under section 72 of The Planning (Listed Building and Conservation Areas) Act 1990, which, it is accepted, is a higher duty. It is concluded that the proposed alterations do respect the character and design of the existing dwellinghouse and the character of the surrounding area or Tring Conservation Area, and as such, are contrary to Policy CS11 and CS27 of the Dacorum Borough Core Strategy and Saved Appendix 7 of the Local Plan.

#### Impact on Residential Amenity

9.11 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.

9.12 No. 10 North Road:

No. 10 is located to the North of the application site. The proposed rear extension will have a lesser impact on the occupiers of No. 10 as the proposed extension has a lesser depth along the shared boundary than what is already existing on site, therefore it will not have a negative overbearing impact or loss of light to No. 10. There are no proposed openings facing towards the side elevation of No. 10 and therefore there are no privacy concerns. Due to the size, scale and location of the proposed dormer and rooflights, these will not have a negative impact on the neighbouring amenity of the occupiers of No. 10.

9.13 No. 12 North Road:

No. 12 is located to the South of the application site. The proposed rear extension will extend along the shared boundary by approx. 7m, however as there is a flank wall at the adjoining property along this boundary with no windows on this elevation, the proposed development will not appear overbearing or cause a loss of light to No. 12. There are no proposed openings facing towards the side elevation of No. 12 and therefore there are no privacy concerns. Due to the size, scale and location of the proposed dormer and rooflights, these will not have a negative impact on the neighbouring amenity of the occupiers of No. 12.

9.14 The proposed works to the patio do not raise any neighbouring amenity concerns in comparison to what is already existing on site.

9.15 As such the application is in accordance with Saved Appendix 3 of the Local Plan and Policy CS12 of the Core Strategy.

#### Impact on Highway Safety and Parking

9.16 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.

9.17 This application does not seek to change the existing parking arrangements at the property. The application proposes an additional bedroom making it a 4 bedroom property. There are no allocated parking spaces for the property, however it is not considered that the addition of one bedroom will have detrimental impact on the highway safety and parking within the area. Furthermore, there is on street parking along North Road and the dwelling is only a short walk from Berkhamsted Town Centre where there is access to buses. As such there are no concerns regarding parking as part of this application.

9.18 Overall, it is considered that the proposal would not result in an unacceptable impact on highway safety.

### Other Material Planning Considerations

9.19 *Response from parish/ town council:*

*Berkhamsted council commented on the application raising the following points:*

*“The proposal is an extensive remodelling of the rear garden as well as raising the roof ridge. The side infill will completely enclose the rear beyond the main wall. This will prevent access to the rear of the property in breach of Policy. SLP App 7 A 7.2 (iv)”*

These comments have been considered. The ridge height is remaining as existing and the raising of the ridge height has been omitted from the proposal. The passageway still remains to the side of the property, even if the access to the rear is no longer there, this is where the applicants intend on keeping their wheelie bins to prevent any harm to the street scene. Therefore the proposed development is considered acceptable.

### Response to Neighbour Comments

9.20 N/A

### Community Infrastructure Levy (CIL)

9.21 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.

## **10. CONCLUSION**

10.1 It is not felt that the works would have an adverse impact on the appearance of the dwelling or would significantly impact the street scene or Berkhamsted Conservation Area. The development would not have a detrimental impact on the amenity of neighbouring properties or highway safety/car parking. Therefore, the proposal is acceptable in accordance with the aims of the National Planning Policy Framework 2021 and Policies CS11, CS12 and CS27 of the Core Strategy 2006-2031.

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

**Drg No. 98, Proposed Block Plan  
Drg No. 99, Location Plan  
Drg No. 200, Proposed Ground Floor Plan  
Drg No. 201, Proposed First Floor Plan  
Drg No. 202, Proposed Loft Plan  
Drg No. 203, Proposed Roof Plan  
Drg No. 204, Proposed Front Elevation  
Drg No. 205, Proposed Rear Elevation  
Drg No. 206, Proposed Side Elevation  
Drg No. 207, Proposed Section**

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

3. **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).

**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

	<p>The proposal is an extensive remodelling of the rear ground floor as well as raising the roof ridge.</p> <p>The side infill will completely enclose the rear beyond the main wall. This will prevent access to the rear of the property in breach of Policy.</p> <p>SLP App 7 A 7.2 (iv)</p>
<p>Conservation &amp; Design (DBC)</p>	<p>11 North Road, Berkhamsted</p> <p>11 North Road is on the west side of this terraced street which rises up from the Charles Street to the north. It is a handsome end of terrace house constructed in stock brick with red brick dressings and a gable to the front. The front door to the right is reached up several steps while to left of the bay window, is a door to an alley leading to the back garden.</p> <p>The proposal seeks to extend into the side return which will abut the side elevation of the neighbouring house to the south, number 12. The ridge of the roof will be raised to convert the loft and the chimney removed. The loft will have a lead covered rear dormer and rooflight to the rear with two rooflights to the front. There will also be internal alterations.</p> <p>The major concern with this application is the raising of the ridge line and removal of the chimney for the loft conversion. This would be contrary to design guidance in the Berkhamsted Conservation Area Appraisal which states that the ridge line of terraces should be maintained (p.288). This particular terrace is stepped and it would not preserve the character of the conservation area if it were to be raised in line with number 12, the loss of the chimney would also be detrimental to the character and appearance of the area. The loft conversion should be created out of the existing envelope in order to preserve the conservation area. The detail and material of the proposed dormer is acceptable as is the rear rooflight.</p> <p>It would be preferable if the two rooflights were removed from the front roof slope in order to better preserve the roof slope in the context of the conservation area. However, if they are to be approved they should be flush conservation rooflights with a glazing bar to the front.</p> <p>Recommendation: Amendment needed prior to approval We've just been reconsulted on this application.</p> <p>The amended plans show that the applicants are still proposing to raise</p>

	<p>the ridge of the roof but it will now be slightly stepped down from number 12 and the chimney retained. While this is a marginal improvement on the original plans and the retention of the chimney is welcome, it is still considered to be harmful. The ridge would still be raised and the angle of the roof slope would be altered and would no longer match the neighbouring houses. There is an in principle objection to this aspect of the proposal backed up by the Berkhamsted Conservation Area Appraisal. Appendix 6 Design Guidance (p.288):</p> <p>Ridge line Maintain the terrace ridge line - stepping down/up hills where applicable and match the adjoining roof slope angle.</p> <p>I note that the two rooflights on the front roof slope have been retained.</p> <p>If the applicants remain unwilling to preserve the existing ridge line and roof slope, I recommend refusal on the basis of not preserving or enhancing the character and appearance of the Conservation Area by not respecting the existing character of the house, its building lines and being contrary to the design guide prepared by Dacorum. This would be In line with Planning (Listed Buildings and Conservation Areas) Act 1990, 72 (1) and Core Strategy CS27 &amp; Local Plan Policy 120 in particular points a) d) &amp; e).</p>
<p>Conservation &amp; Design (DBC)</p>	<p>These comments concern the second set of amended plans dated 17th February 2023.</p> <p>Following objections to the original plans to raise the ridge height in line with 12 North Road and remove the chimney, the plans were amended to marginally reduce the ridge height but still proposing to alter the existing roof slope and ridge but retain the chimney.</p> <p>These plans now propose to retain the existing roof envelope in line with guidance in the Berkhamsted Conservation Area Appraisal which is welcome. However, the chimney will not be retained with this proposal.</p> <p>There is no objection to its removal internally but it should be retained externally in order to preserve the established character of the house, road and conservation area. Ideally this would be as it is but if this isn't feasible then a like for like replica should be installed which they should provide details of prior to approval. Final amendment and more information therefore needed.</p> <p>If they are unwilling to retain the chimney either in its present form or with a like for like replica then the proposal should be refused on the</p>



	<p>basis that it would not preserve the conservation area in line with Planning (Listed Buildings and Conservation Areas) Act 1990, 72 (1) and Core Strategy CS27 &amp; Local Plan Policy 120 in particular points a) d) &amp; e).</p> <p>Recommendation: Amendment and possibly more information needed prior to approval</p>
<p>Conservation &amp; Design (DBC)</p>	<p>11 North Road is on the west side of this terraced street which rises up from the Charles Street to the north. It is a handsome end of terrace house constructed in stock brick with red brick dressings and a gable to the front. The front door to the right is reached up several steps while to left of the bay window, is a door to an alley leading to the back garden.</p> <p>The proposal seeks to extend into the side return which will abut the side elevation of the neighbouring house to the south, number 12. The ridge of the roof will be raised to convert the loft and the chimney removed. The loft will have a lead covered rear dormer and rooflight to the rear with two rooflights to the front. There will also be internal alterations.</p> <p>The major concern with this application is the raising of the ridge line and removal of the chimney for the loft conversion. This would be contrary to design guidance in the Berkhamsted Conservation Area Appraisal which states that the ridge line of terraces should be maintained (p.288). This particular terrace is stepped and it would not preserve the character of the conservation area if it were to be raised in line with number 12, the loss of the chimney would also be detrimental to the character and appearance of the area. The loft conversion should be created out of the existing envelope in order to preserve the conservation area. The detail and material of the proposed dormer is acceptable as is the rear rooflight.</p> <p>It would be preferable if the two rooflights were removed from the front roof slope in order to better preserve the roof slope in the context of the conservation area. However, if they are to be approved they should be flush conservation rooflights with a glazing bar to the front.</p> <p>Recommendation: Amendment needed prior to approval</p>
<p>Conservation &amp; Design (DBC)</p>	<p>11 North Road, Berkhamsted</p> <p>A further set of amended plans dated 24th February 2023 have been submitted in response to comments dated 23rd February 2023.</p> <p>The previous plans had retained the roof slope envelope but removed</p>

	<p>the chimney.</p> <p>These plans now show the brick chimney retained and the plans are now acceptable.</p> <p>Emma</p>
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**APPENDIX B: NEIGHBOUR RESPONSES**

**Number of Neighbour Comments**

<b>Neighbour Consultations</b>	<b>Contributors</b>	<b>Neutral</b>	<b>Objections</b>	<b>Support</b>
6	0	0	0	0

**Neighbour Responses**

<b>Address</b>	<b>Comments</b>