

**4/01743/16/FHA - TWO STOREY SIDE AND SINGLE STOREY REAR EXTENSION, NEW CAR PORT AND ALTERATIONS TO APPEARANCE OF THE HOUSE (AMENDED SCHEME).**

**KINGSMEAD, KINGS LANE, CHIPPERFIELD, KINGS LANGLEY, WD4 9EN.**

**APPLICANT: Mrs N Duncan.**

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[Case Officer - Rachel Marber]

## **Summary**

The proposed two storey side extension, single storey rear extension and loft conversion would not detriment the visual amenity of the existing dwelling house, Chipperfield Conservation Area, immediate street scene or the residential amenity of neighbouring residents. The proposal is therefore in accordance with saved appendices 3, 5 and 7 and policy 120 of the Dacorum Local Plan (1991), policies CS6, CS11, CS12 and CS27 of the Core Strategy (2013), and the NPPF (2012).

## **Site Description**

The application site features a two storey detached dwelling located on the west side of Kings Lane which falls within the Chipperfield Conservation Area and designated small village in the Green Belt. The site is set back from Kings Lane on a generous gravel front drive with front boundary treatment shielding the dwelling from being overtly visible from the street scene; however, the rear of the property is visible from the open fields to the rear of the application site.

Kings Lane is predominantly characterised by detached properties situated on generous plots. Each property is varied in terms of character, build line, size and architectural detailing. The overall area has a verdant character aspect emphasised by the surrounding Green Belt fields.

## **Proposal**

The application seeks permission for the construction of a single storey rear extension, two storey side extension and loft conversion. The proposed alterations would increase the dwelling from a four bed into a six bed property.

The proposal is an amended scheme of the previous refused application ref: 4/00544/15/FHA. The amendments to the scheme are as follows:

- The carport has been removed; and
- The three rear dormers have been omitted.

## **Referral to Committee**

The application is referred to the Development Control Committee due to the contrary views of Chipperfield Parish Council.

## **Planning History**

4/00544/16/FHA TWO STOREY SIDE AND SINGLE STOREY REAR EXTENSION,  
NEW CAR PORT AND ALTERATIONS TO APPEARANCE OF  
THE HOUSE

Refused

03/06/2016

An appeal against this refusal has been lodged and is currently  
pending consideration

4/02247/13/TCA WORKS TO TREES INCLUDING FELLING OF YEW, HOLLY,  
TWO CYPRESS AND TWO BIRCH TREES.

Raise no objection

25/02/2015

4/01330/07/TCA WORKS TO TREES

Raise no objection

12/07/2007

## **Policies**

National Policy Guidance (2012)

National Planning Policy Framework (NPPF)

Adopted Core Strategy (2013)

CS6 – Small Village in the Green Belt

CS11 - Quality of Neighbourhood Design

CS12 - Quality of Site Design

CS27 - Quality of the Historic Environment

Saved Policies of the Dacorum Borough Local Plan (1991)

Policy 13 – Planning Conditions and Planning Obligations

Policies 120- Development in Conservation Areas

Appendix 3- Gardens and Amenity Space

Appendix 5- Parking Provision

Appendix 7 - Small-scale House Extensions

## **Constraints**

Established residential area of Chipperfield

- Small Village in the Green Belt
- Chipperfield Conservation Area

## **Summary of Representations**

Chipperfield Parish Council

## **Objection**

"CPC objects due to over development of size and letters of objection received from neighbours, Letters & 6 signatures have been sent to DBC."

## DBC Conservation

### **No Objection**

"The dormers have now been omitted from the rear roof slope and otherwise the design and scale of extension is similar to that previously proposed - which James Moir considered acceptable. I note the car port has now been omitted from the proposals, reducing the bulk of development on site; no objection."

### **Comments received from local residents:**

Residents of Corner Cottage, Rivendell, Koh-i-Nor, Copthall Cottage, Little Copthall, (all Kings Lane), Pale House, (The Street).

### **Objection**

"We the undersigned six neighbours of Kingsmead wish to raise concerns regarding the amended proposal above.

Our unease is based on the following:-

**Size** - the planned main body of the house remains the same as the original proposal resulting in a property that constitutes overdevelopment of the site.

**Roof Extension** - although the full-length walk-in dormer with Juliet balcony, and two window dormers, have been removed, it is still extremely likely that attempts will be made to add these at a later date.

**Windows** - the greatly increased size and number of windows result in extreme loss of privacy for neighbours on all sides.

**Car Port** – it is almost certain that a garage or car port will be added later.

As part of any planning permission we propose that the following conditions are made :

- Future development should not include more than two dormer windows to be permitted at the rear of the house. These should not exceed standard double window size. There should be no full length walk-in dormers or Juliet balconies.
- The windows on both sides of the house that overlook adjacent properties should be small, fixed, (not openable), and opaque.

This compromise to the original application will ensure adequate light and ventilation for Kingsmead and go some way to protect the privacy of surrounding homes.

If this cannot be agreed then we formally object to the plans for the following reasons :-

- The original application was refused by three separate planning committees on the grounds of overdevelopment, failure to enhance the Conservation Area and failure to protect residential amenity to an acceptable level, notably regarding privacy.
- Due care should now be exercised to ensure that these same criteria are met to avoid a stage-by-stage application, designed to achieve the original goal by "stealth"

Corner Cottage, Kings Lane

## **Objection**

"We are the residents of Corner Cottage, Kings Lane, Chipperfield and the immediate neighbours of Kingsmead on the south-east side. The proposed development at Kingsmead has already been rejected by the Parish Council twice and also by Dacorum Borough Council Development Control Committee on 26 May 2016. It is re-presented now with only minor amendments to the car port on the north-west side and rear dormer windows/balcony, none of which resolve our initial objections. I trust you have records of these. We therefore continue to object on the grounds of:

- Inadequate consultation
- Overdevelopment
- Overlooking and loss of privacy
- Visual intrusion
- Noise and disturbance resulting from use
- Danger of recurrence of earlier damage to our property including new trees close to house

### **1. Inadequate consultation**

The previous planning application was objected to in a letter signed by 7 immediately affected neighbours of Kingsmead and yet once again the notification of an amended scheme has only been sent to 4 consultees, missing out the owner of the rear paddock who has the longest boundary directly adjacent the property.

### **2. Overdevelopment**

The scale of the extensions amounts to an 85% increase in size of the original property and is grossly disproportionate to the neighbouring properties, the ethos of the conservation area, and the character of a small village in the green belt, having already built a large detached bungalow in the back garden as well.

The house is going to be the same size as in the previous application which was refused because it was agreed and stated by the Development Control Committee that “the cumulative impact of the proposed extensions by reason of their bulk and scale would constitute overdevelopment of the site and result in a dominating form of development when viewed from the wider area. This would fail to preserve or enhance the character and appearance of the Chipperfield conservation area and designated small village located in the Green Belt contrary to policies CS6, CS11, CS12 and CS27 of the Core Strategy (2013), saved appendix 7 and policy 120 of the Local Plan (1991) and the NPPF (2012).”

The amended plan has not altered the bulk and scale of the house and extension.

### **3. Overlooking and loss of privacy**

As previously explained this is our biggest concern. The south-east extension will come right up to the midpoint of our north-west hedge. There are large vertical windows planned on the 1<sup>st</sup> storey of the extended main body of the house which will directly overlook our whole back garden, patio and rear windows of our dining room, kitchen and 3 bedrooms as well as the rear house and gardens of all our neighbours on our south eastern side. The submitted drawing gives no indication of the degree of intrusion to neighbours.

### **4. Visual intrusion**

Currently Kingsmead is in the centre of a large plot and not within our immediate line of vision at the rear of our house. However by extending the south-east side of Kingsmead right up to our north-west hedge the property will intrude substantially into our direct line of vision from the back of the house and come well within a 45 degree angle from the any of our back windows or doors. It will become a dominant feature towering over our back garden.

### **5. Noise and disturbance resulting from use**

Clearly bringing the whole body of the house, sitting room and a large new kitchen extension, which are main living areas in frequent use, right up to the side of our back garden will bring with it considerable extra noise and disturbance. As a retired couple living on our own in a quiet village environment we are anxious to be protected against this.

### **6. Danger of recurrence of earlier damage to our property**

Along our north-west border the previous owner had planted a row of tall beech trees, the roots of which caused substantial subsidence to our property. Structural engineers

had to reinforce our house on two occasions with several months work and the neighbour was required by his insurance company to have the beech trees removed. We are concerned that digging foundations close to the same area will cause a recurrence of this problem. The plans describe the planting of new trees for screening in exactly the same position from which the beech trees had to be removed. In addition the main feature half way down our back garden is an impressive 25-yr-old copper beech tree by the north-west hedge. In extending Kingsmead right up this hedge the builders will be cutting through the roots of our tree and likely to kill it. It is well within falling distance of the new build as indicated on the planning application form. We will require legal indemnity from the applicants against all these potential dangers to our property.

Whilst downgrading of the car port has helped ameliorate the loss of light to the north-west neighbours at Old Cottage nothing in the current amended application has been done to reduce the main building size or address our continuing concerns and resultant objections.”

## **Considerations**

### Principle of Development

The application site is located within a selected small village in the Green Belt, where in accordance with policy CS6 of the Core Strategy the principle of a residential extension is acceptable subject to compliance with the relevant national and local policies outlined below. The main issues to the consideration of this application relate to the impact of the proposed extension’s character and appearance on the existing dwelling house, surrounding conservation area and impact upon the residential amenity of neighbouring properties.

### Effect on Appearance of the Conservation Area and Existing Building

Saved appendix 7 of the Dacorum Local Plan (1991), policies CS11 and CS12 of the Core Strategy (2013) and the NPPF (2012) all seek to ensure that any new development/alteration respects or improves the character of the surrounding area and adjacent properties in terms of scale, massing, materials, layout, bulk and height.

Paragraph 64 of the NPPF states that permission should be refused for developments of poor design which fail to improve the character and quality of an area. Policies CS27 of the Core Strategy (2013) and saved policy 120 of the Dacorum Local Plan (1991) reinforce this, in addition to stating that great weight should be given to the conservation of designated heritage assets in considering the impact of proposed developments within a Conservation Area.

In accordance with the submitted application the proposed extensions and associated alterations would comprise of facing brickwork walls to be part painted in white render, powder aluminium windows and doors and plain roof tiles. These materials are

considered acceptable and in-keeping with the existing dwellinghouse; complying with policies CS12 of the Core Strategy (2013) and saved policy 120 of the Local Plan (1991).

Due to the sensitive location of the dwelling house, a DBC Conservation Officer was informally consulted on the proposal during a weekly Conservation Surgery and provided the following comments:

*“The dormers have now been omitted from the rear roof slope and otherwise the design and scale of extension is similar to that previously proposed - which James Moir considered acceptable. I note the car port has now been omitted from the proposals, reducing the bulk of development on site; no objection.”*

The proposed extensions and alterations would retain the character of the original property. The existing front gable feature would be replicated within the proposed two storey side extension, and respect is paid to existing front and rear build lines and roof form.

The dwelling house is marginally visible from the street scene due to its situ within the site and existing front boundary treatment. Similarly, the immediate street scene contains no uniformed architectural style of property and as a result no objections are raised in regards to the design of the proposed alterations to the dwelling house.

As a result the proposal is not considered to have an adverse impact upon the character and appearance of existing dwellinghouse or Chipperfield Conservation Area. The proposal is therefore in accordance with saved appendix 7 and policy 120 of the Dacorum Local Plan (1991), policies CS11, CS12 and CS27 of the Core Strategy (2013) and the NPPF (2012).

#### Effect on Amenity of Neighbours

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 (1991) 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 or privacy.

Due to the further forward build lines of neighbouring properties, Corner Cottage and The Old Cottage the proposed single storey rear extension would not result in loss of outlook, daylight or privacy to neighbouring properties. Similarly, the rear extension would be located 38 meters (approximately) away from neighbouring properties, Rivendell and Noh-I-Nor, located adjacent to the site.

The proposed two storey side extension would respect the front build line of the parent property and maintain the existing 15 metre (approximate) separation distance to the

rear elevation of Corner Cottage.

Concerns have been raised in regards to loss of privacy and overlooking which may result from the two storey side extension. In order to mitigate such an externality from occurring, a condition for obscure glazed first floor windows has been attached to the grant permission.

As a result the proposal in regards to residential amenity is acceptable in terms of the NPPF (2012), saved appendix 3 of the Local Plan (1991) and policy CS12 of the Core Strategy (2013).

#### Impact on Car Parking Provision

The Council's Parking Standards outlined within saved appendix 5 of the Local Plan (1991) requires three off street parking spaces for four+ bed dwellings within Residential Zone 3-4. The application seeks to increase the number of bedrooms from four to six, which would not require an increase in parking provision. Furthermore, the off street parking provision is sufficient to accommodate at least four domestic cars. As a result it is not considered that the proposal would impact upon the safety and operation of the adjacent highway. The proposal meets the requirements of policy CS12 of the Core Strategy (2013) and saved appendix 5 of the Local Plan (1991).

#### Consultation Response

Several concerns were received as a result of the application. The main concerns are addressed below:

*Overdevelopment in the Greenbelt-* The application site is located within a designated small village in the Greenbelt and therefore household extensions are acceptable in principle with no size restriction.

*Visual intrusion and loss of light to neighbouring residents-* this has been addressed within the residential amenity section above.

*Additional windows proposed resulting in loss of privacy-* The additional windows proposed are located on the ground floor of the south-east two storey side extension. These would not result in a loss of privacy to adjacent properties due to a 38 metre (approximate) separation distance and heavy boundary treatment which would rise above window height. No additional windows are proposed to the north-west elevation.

*Structural problems caused by planting of new trees-* Trees and Woodlands were consulted on the proposal and outlined that structural damage to both trees and neighbouring properties as a result of additional tree planting would be highly unlikely. Nonetheless, to ensure no damage occurs a condition detailing tree species and size has been imposed.



*Installation of noisy gravel driveway-* Under Class F of the General Permitted Development Order the resurfacing of driveways with a permeable material does not require planning permission.

*Future planning applications which may come into fruition-* Only the application put forward can be considered and assessed against planning policy; it would be unreasonable to speculate and determine this application with regards to what might be put forward in the future.

RECOMMENDATION - That planning permission be **GRANTED** for the reasons referred to above and subject to the following conditions:

- 1 The development hereby permitted shall be begun 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 extension hereby permitted shall match in size, colour and texture those used on the existing building.**

Reason: To ensure a satisfactory appearance to the development and conservation area, in accordance with policies CS12 and CS27 of the Core Strategy (2013) and saved policy 120 of the Local Plan (1991).

- 3 The windows at first floor level in the South-East elevation of the side extension hereby permitted shall be permanently fitted with obscured glass.**

Reason: In the interests of the residential amenities of the occupants of the adjacent dwellings; in accordance with policy CS12 of the Core Strategy and saved appendix 3 of the Local Plan (1991).

- 4 No works shall take place until full details of the tree species and size of all proposed tree planting, have been approved in writing by the local planning authority, and all tree planting shall be carried out in accordance with those details and at those times.**

Reason: To ensure a satisfactory appearance to the development and to safeguard the residential amenity of neighbouring properties, in accordance with policy CS12 of the Core Strategy (2013).

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

**05 Rev G**  
**06 Rev G**

**01 Rev E**

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