

**4/01198/16/FHA - FIRST FLOOR REAR EXTENSION. RAISE HEIGHT OF EXISTING WALL TO SINGLE STOREY REAR EXTENSION. NEW EXTERNAL WINDOWS AND DOORS TO REAR.**

**17 CHAPEL STREET, BERKHAMSTED, HP4 2EA.**

**APPLICANT: Mr Williams and Ms Sidgreaves.**

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[Case Officer – Andrew Parrish]

## **Summary**

The proposal has been assessed in terms of its impacts on the character of the area, including the Conservation Area and the setting of locally listed building, on the living conditions of the occupants of neighbouring properties and on other relevant material planning considerations. It has been concluded that the proposal is acceptable in terms of the above and is therefore in accordance with identified local and national policy.

## **Site Description**

No. 17 is a C1900 Victorian red brick semi-detached cottage with white painted brickwork to the frontage under a slate roof, located within Berkhamsted Conservation Area. It is located on the northern side of Chapel Street and retains original sash windows to its frontage. The application property has a single storey rear extension and modest rear garden backing onto the River Bulbourne. The attached neighbouring property to the east has a two storey rear projection with ground floor kitchen and landing window windows facing the site.

The proposal is also within Flood Zone 3, an Area of Archaeological Significance and is a locally listed building. Adjacent buildings to north west and south east are also locally listed.

## **Proposal**

Permission is sought to erect a first floor rear extension measuring approximately 4.1m wide x 2.9m deep with a hipped roof over with casement window to match the style of the existing to the rear.

## **Referral to Committee**

The application is referred to the Development Control Committee as Berkhamsted Town Council has objected to the proposed development.

## **Relevant History**

4/00007/10/FHA	REPLACEMENT OF ROOF AND FRENCH DOORS AND RAISING HEIGHT OF REAR WALL
	Granted
	08/03/2010

4/00575/97/FHA REAR CONSERVATORY LINK TO OUTBUILDING  
Granted  
17/06/1997

## **Policies**

### National Policy Guidance

National Planning Policy Framework (the Framework)

### Adopted Core Strategy

NP1 – Supporting Development  
CS4 – The Towns and Large Villages  
CS11 - Quality of Neighbourhood Design  
CS12 - Quality of Site Design  
CS25 – Landscape Character  
CS27 – Quality of the Historic Environment  
CS31 – Water Management

### Saved Policies of the Dacorum Borough Local Plan

Policy 57 – Provision and Management of Parking  
Policy 58 – Private Parking Provision  
Policy 118 – Important Archaeological Remains  
Policy 120 – Development in Conservation Areas  
Appendix 5 – Parking Provision

## **Summary of Representations**

### Environment Agency

Concern with regards to Flood Zone 3b. However, no formal objection received.

### Hertfordshire County Council Archaeology

No objection.

### local residents

One letter of objection has been received from an address in Chapel Street.  
Comments are summarised as:

- Impact on living conditions, in terms of loss of light and overlooking.

## Considerations

The main planning considerations in the determination of this application are:

1. The quality of the design and the impact on the character of the area, including the Conservation Area and the setting of locally listed buildings
2. The potential impact on the living conditions of the occupants of surrounding neighbouring dwellings
3. Other Material Planning Considerations
  - (i) Archaeology
  - (ii) Flooding

The quality of the design and the impact on the character of the area, including the Conservation Area and the setting of locally listed buildings

Core Strategy Policies CS11 and CS12 state that development within settlements should respect the typical density in the area and integrate with the streetscape character. Chapter 7 of the Framework emphasises the importance of good design in context and, in particular, paragraph 64 states permission should be refused for development of poor design that fails to improve the character and quality of an area and the way it functions

Additionally, the specific historic environment policies within the Framework are contained within paragraphs 126-141. Paragraph 131 of the NPPF states that in determining planning applications, Local Planning Authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets. Though not fully consistent with the Framework in this regard (as Section 12 does allow for harm to heritage assets in certain circumstances), Policies CS25 and CS27 and Local Plan Policy 120 seek to preserve the setting and distinctiveness of heritage assets and historic landscapes.

17 Chapel Street is a two storey, brick built, 19th century semi-detached dwelling with a hipped slate roof and is locally listed. There is an existing single storey extension to the rear which would appear to date from the 20th century. Given the positioning of the proposed development, views of the extension would be somewhat restricted from the public domain and it would only be visible from certain vantage points along Ravens Lane.

On discussion with Dacorum Conservation Officers, it is considered that the proposal would remain subordinate in scale to the host unit and to surrounding neighbouring extensions and would not disrupt the overall design and architectural interest of the locally listed application building. It is, however, recommended that a condition be

imposed requesting exact specifications of the bricks, brick bond, mortar mix, slates, rainwater goods and joinery details to be submitted and approved prior to works commencing.

Taking all of the above into account, subject to the imposition of the above mentioned condition, it is considered that the proposal would not result in harm to the architectural and historic design of the host building and would preserve the setting of the Conservation Area and the adjacent locally listed buildings. The proposal therefore complies with identified local and national policy in this regard.

#### The potential impact on the living conditions of the occupants of surrounding neighbouring dwellings

Policy CS12 aims to preserve neighbouring amenity. Furthermore, guidance in paragraph 17 of the NPPF is to always seek to secure high quality design and good standard of amenity for all existing and future occupiers of land and buildings.

The proposed development would not extend significantly beyond the rear elevation of No. 16 Chapel Street immediately adjacent to the shared north western site boundary. Taking this into account, and as proposed first floor windows would not afford direct views of the primary private amenity space which benefits this neighbouring dwelling, the proposal would not significantly harm the living conditions of the occupants of this unit, in terms of overbearing, overlooking and loss of light.

Turning to No. 18 Chapel Street, it is acknowledged that concerns have been raised with regards to the impacts the proposal would have on the living conditions of the occupants of this unit. It is also noted that there are two ground floor windows in the north eastern elevation of this neighbouring units which would face the development.

Though the proposal would be visible from these above mentioned windows, only one of these (closest to the rear elevation) is a habitable room window serving a kitchen. There is also a secondary ground floor light source, to the rear of No. 18 Chapel Street, serving this kitchen. Taking this into account, as the applicant has submitted a daylight and sunlight study confirming the proposal would be acceptable in terms of loss of light and as the proposal would be approximately 4.7m away from the north eastern elevation of No. 18 Chapel Street, it is not considered that the proposal would result in significant and demonstrable harm to the living conditions of the occupants of this unit, in terms of overbearing and loss of light.

Furthermore, given that there are no proposed first floor side facing windows and the proposed rear first floor window would not afford direct views of the primary private rear amenity space which benefits No. 18 Chapel Street, the development would preserve the privacy of this neighbouring unit.

Taking all of the above into account, and given the distance from the proposal to

existing neighbouring units to the north east, the proposal would not significantly harm the living conditions of the occupants of neighbouring units, in terms of overbearing, overlooking and loss of light. As such, the development complies with the identified local and national policy in this regard.

### Other Material Planning Considerations

#### *(i) Archaeology*

The application site is located within an Area of Archaeological Significance. Core Strategy Policy CS27 and Local Plan Policy 118 seek to ensure development has no detrimental impact upon features of archaeological importance. This is consistent with the provisions of the Framework as paragraph 128 states that regard must be had to sites with the potential to include heritage assets with archaeological interest.

Hertfordshire County Council Archaeology has been consulted and has raised no objection to this proposal. Taking this into account, and given the scale and positioning of the proposal, it is not considered that the development would result in any unacceptable impacts upon features of archaeological significance, in accordance with the above mentioned policies.

#### *(ii) Flooding*

With regards to Environment Agency flood mapping, the site is located in Flood Zone 3. Policy CS31 seeks to minimise the risk of flooding. The Environment Agency, though raising concerns with regards to the location of the proposal, have raised no formal objection to the scheme. Taking this into account, and as the proposal is a first floor rear extension only, it is not considered that the development would be susceptible to flooding or increase the overall risk of flooding in the area. As such, the development is considered acceptable in this regard.

### **Conclusion**

The proposal has been assessed in terms of its impacts on the character of the area, including the Conservation Area and the setting of locally listed building, on the living conditions of the occupants of neighbouring properties and on other relevant material planning considerations. It has been concluded that the proposal is acceptable in terms of the above and is therefore in accordance with identified local and national policy.

### **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 development hereby permitted shall not be carried out other than in accordance with the following approved plans/documents: 17 CHAPEL/PA/002 Rev. 01 & 17CHAPEL/PA/003 Rev. 01 & 17CHAPEL/PA/004 Rev. 01 & 17CHAPEL/PA/005 Rev. 01 & 17CHAPEL/PA/006 Rev. 01 & 17CHAPEL/PA/007 Rev. 01 & 17CHAPEL/PA/008 Rev. 01 & 17CHAPEL/PA/014 Rev. 02 & 17CHAPEL/PA/015 Rev. 01 & 17CHAPEL/PA/016 Rev. 01 & 17CHAPEL/PA/017 Rev. 03 & 17CHAPEL/PA/018 Rev. 01.**

Reason: For the avoidance of doubt, in the interests of proper planning, to ensure a satisfactory appearance to the development and to ensure that the proposal is acceptable in terms of highway safety, in accordance with Policies CS8, CS11 and CS12 of the Dacorum Core Strategy 2013.

**3. Prior to construction of the development hereby permitted full details of materials to be used for external surfaces, including brick bond, mortar mix, rainwater goods and joinery details and finish, must be submitted to and approved in writing by the Local Planning Authority. Subsequently, these works shall be carried out and retained in accordance with approved details.**

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS11 and CS12 of the Dacorum Core Strategy 2013.

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 development hereby permitted shall not be carried out other than in accordance with the following approved plans/documents:  
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17CHAPEL/PA/006 Rev. 01 & 17CHAPEL/PA/007 Rev. 01 &  
17CHAPEL/PA/008 Rev. 01 & 17CHAPEL/PA/014 Rev. 02 &  
17CHAPEL/PA/015 Rev. 01 & 17CHAPEL/PA/016 Rev. 01 &  
17CHAPEL/PA/017 Rev. 03 & 17CHAPEL/PA/018 Rev. 01.**

Reason: For the avoidance of doubt, in the interests of proper planning and to ensure a satisfactory appearance to the development a in accordance with

Policies CS11, CS12, CS25, CS27 of the Dacorum Core Strategy 2013 and Policy 120 of the Dacorum Local Plan 2004.

- 3 **Prior to construction of the development hereby permitted full details of materials to be used for external surfaces, including brick bond, mortar mix, rainwater goods and joinery details and finish, must be submitted to and approved in writing by the Local Planning Authority. Subsequently, these works shall be carried out and retained in accordance with approved details.**

Reason: For the avoidance of doubt, in the interests of proper planning and to ensure a satisfactory appearance to the development in accordance with Policies CS11, CS12, CS25, CS27 of the Dacorum Core Strategy 2013 and Policy 120 of the Dacorum Local Plan 2004.

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 (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.