

**4/02707/16/FHA - PART TWO STOREY, PART SINGLE STOREY REAR EXTENSION AND AN OUTBUILDING.
2 THE CART TRACK, BELSWAINS LANE, HEMEL HEMPSTEAD, HP3 9XA.
APPLICANT: Mr Gill.**

[Case Officer - Rachel Marber]

Summary

The proposed part single, part two storey rear extensions and rear outbuilding through size, position and design would not result in severe detriment to the appearance of the parent dwellinghouse or surrounding street scene. Furthermore, the proposal would not adversely impact upon the residential amenity of neighbouring residents. The proposal therefore coheres with the NPPF (2012), saved appendices 3, 5 and 7 of the Dacorum Local Plan (2005) and policies CS4, CS11 and CS12 of the Core Strategy (2013).

Application Site and Surrounding Area

The application site is located to the north west of The Cart Track, Hemel Hempstead. The site comprises of a two storey detached property which was granted permission in 2005 (4/02725/04/FUL). The property has an isolated location on a private road, situated between the linear build lines of Belswains Lane and Pinecroft.

Proposal

The application seeks planning permission for a part single, part two storey rear extension and rear outbuilding. The proposal would increase the dwellinghouse size from a three bed into a four bed property.

The proposal has been amended to try and mitigate some neighbouring residents concerns; the amendments made are as follows:

- Set in of first floor rear extension by 0.7 meters from the property boundary with Pinecroft;
- Reduction of first floor rear extension depth by 1 metre; and
- Change of single storey rear extension roof form, from crown to flat roof.

Referral to Committee

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

Relevant Planning History

4/00634/06/DRC DETAILS OF HARD AND SOFT LANDSCAPING AND FINISHED FLOOR LEVELS REQUIRED BY CONDITIONS 6 AND 7 OF PLANNING PERMISSION 4/02725/04 (DETACHED DWELLING)
Granted
23/05/2006

4/00667/05/DRC DETAILS OF MATERIALS REQUIRED BY CONDITION 2 OF PLANNING PERMISSION 4/02725/04 (DETACHED DWELLING)

Granted
11/05/2005

4/02725/04/FUL DETACHED DWELLING
Granted
20/01/2005

4/00384/04/OUT NEW DWELLING
Refused
02/04/2004

Constraints

No specific policy constraints, established residential area of Hemel Hempstead

Policies

National Policy Guidance

National Planning Policy Framework (NPPF)

Adopted Core Strategy

CS4 - The Towns and Large Villages
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design

Saved Policies of the Dacorum Borough Local Plan

Appendix 3 - Gardens and Amenity Space
Appendix 5 – Parking Provision
Appendix 7 - Small-scale House Extensions

Summary of Representations

Comments received from consultees:

DBC Building Control

No Comment

Nash Mills Paris Council

Objection

"Councillors object to the scale of the proposal which creates a visual intrusion; particularly for the residents of Pinecroft and in general terms consider that the site would be overdeveloped."

Comments received from local residents:

8 Pinecroft

Objection

"Please see the reasons for our strong objection to the planning application listed below.

" The proposed plans will severely limit the amount of daylight that we currently have in our garden and also our home. We will be horribly overshadowed by this grossly oversized plan of extension for the property in question.

" If extended to the full extent of the proposed plans, the property will completely overlook our garden and also our home, which would be a huge loss of privacy.

" One can only assume that by extending said property by such vast degree, that a much larger family will be living in it, thus bringing more noise and therefore disturbance to our current life.

" The enormous proposed extension will be extremely unsightly, and be a big visual intrusion on our lives.

In our opinion the proposed extension would make the house far too big for the plot. This and all the elements listed above lead us to object firmly to this planning application."

6 Pinecroft

Objection

"Loss of light and overshadowing.

Since the existing house was built we have experienced a material reduction in the quality of light within our property. The existing property already overshadows the majority of our garden and severely limits the amount of daylight that we currently enjoy in our garden and the ground floor of our property during autumn and winter. If extended to the scale of the proposed plans, this will make it even worse.

Loss of privacy, Visual intrusion

An extension of such magnitude, and to the extent that it would overlook our property, would cause a loss of privacy, particularly if any of the windows were clear glass.

Noise and disturbance

The addition of a Games room at the end of the plot indicates the possibility of noise and disturbance resulting from use."

2 Pinecroft

Objection

"I am objecting to this very large extension and outbuilding, which more or less doubles the current footprint of the house. It will overshadow our garden and cause a reduction in light. Also there will be a reduction in privacy
I consider it to be a visual intrusion."

1 The Cart Track

Support

"The proposed development will have no adverse effects on the surrounding properties, and is intended to allow the two children living in the house to have their own bedrooms rather than have to share a bunk bed as they grow up."

7 Pinecroft

Objection

"The objection was to the previous plans, but since these have been superseded I may as well comment on the amended plans instead. The objections are pretty much the same, however:

This is a huge increase in the footprint of the house, pretty much double. The plans represent a loss of light and overshadowing, even the scaled down version is still a massive increase in size and will block light into our garden and the back of our house.

I believe it will also result in a loss of privacy.

Plus the increased house size is likely to mean a bigger family living there, meaning more noise and disturbance.

I also believe it to be unsightly and a mean a visual disturbance.

In short, I would like to lodge my objection to these proposed plans in the strongest terms."

Key Considerations

The application site is located within a residential area, wherein accordance to policy CS4 of the Core Strategy (2013) 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 upon the character and appearance on the existing dwellinghouse, immediate street scene and residential amenity of neighbouring properties.

Impact upon the Existing Dwelling House and Street Scene

Saved appendix 7 of the Dacorum Local Plan (2005), policies CS11, 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.

In accordance with the submitted application the proposed extensions would be of simple, traditional design, comprising of materials to match the existing dwellinghouse. These materials are considered acceptable and in-keeping with the existing dwellinghouse; complying with policy CS12 of the Core Strategy (2013).

The application site is not overtly visible from the public highways, Belswains Lane or Pinecroft. As a result no aspect of the proposed extensions (rear extension or outbuilding) would be obviously visible from the street scene. Thus, there would be no adverse impact on the street scape, preserving both the character and appearance of the existing dwellinghouse and wider street scene.

Furthermore, due to no uniformed architectural style within The Cart Track and the already isolated nature of the buildings it is not considered that a particular architectural style or dwelling appearance should be maintained.

Thus, it is not considered that the proposal would detriment the appearance of the parent dwellinghouse or street scene; accordingly the proposed coheres with the NPPF (2012), saved

appendix 7 of the Dacorum Local Plan (2005) and policies CS4, CS11 and CS12 of the Core Strategy (2013).

Impact upon Residential Amenity

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 (2005) and policy CS12 of the Core Strategy (2013), seek to ensure that new development does not result in detrimental impact on 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. Moreover, saved appendix 7 of the Local Plan advises that alterations should be set within a line drawn at 45 degrees from the nearest neighbouring habitable window.

The proposed rear extension would breach the 45 degree line as drawn from the rear habitable windows of Nos. 7-6 Pinecroft and Nos. 159- 165 Belswains Lane. Nonetheless, the flank wall of the proposed rear extension would be located 36.5 metres (approximately) away from the properties at Belswains Lane and 17.5 metres (approximately) away from properties at Pinecroft. It is important to note that DBC have no side-to-rear separation distance policy guidance. Furthermore the proposed rear extension would retain the existing site relationship in terms of separation distance to neighbouring properties, extending this further in depth by 3 metres at first floor level. Moreover, the roof of the first floor rear extension is set down from the existing ridge height in order to appear subordinate in relation to the parent property and result in minimal further visual intrusion. By virtue of the proposed 3 metre depth of the first floor element, coupled with the separation distances to neighbouring properties is not considered to result in significantly further detriment to the daylight or outlook serving neighbouring properties.

The proposed 8 metre deep rear extension is not considered to result in visual detriment to neighbouring properties due to a marginal 2.75 metre (approximate) roof height which would not be overtly visible above the 1.8 metre height boundary treatment and 2 metre high garden shed to the rear of property No. 7 Pinecroft.

In similar regard the proposed outbuilding would be similar in scale and height to the existing garden shed, with a maximum 3.8 metre high structure which would be pitched away from neighbouring properties, measuring 2.5 metres from eaves level.

The rear extension, including proposed outbuilding, would retain a garden depth of 12 metres (approximately). This would remain compliant with the 11.5 metre garden depth outlined within saved appendix 3 of the Local Plan (2005). Although, the garden depth would be relatively narrow this is not considered to discord with the immediate area, where narrow long gardens are prevalent on Belswains Lane.

The first floor proposed side facing window has been conditioned as obscure glazed in order to preserve the privacy of residents in the properties at Pinecroft.

Thus, the proposal would not further impact upon the residential amenity or privacy of neighbouring residents and is acceptable in terms of the NPPF (2012), saved appendix 3 of the Local Plan (2005) and policy CS12 of the Core Strategy (2013).

Impact upon Car Parking Provision

The Council's Parking Standards within saved appendix 5 of the Local Plan (1991) requires two off street parking spaces for four bed dwellings within Residential Zones 1- 2. The application seeks to increase the properties' size from a three bed property into four. This would not however, require an increase in parking provision. As a result, it is not considered that the proposal would impact on the safety and operation of the adjacent highway.

Consultation Responses

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

Loss of daylight and overshadowing to rear gardens and properties- It is not considered that an additional 3 metre deep first floor rear extension would result in significantly further loss of daylight or overshadowing to the rear gardens at Pinecroft. Furthermore, the height of this rear extension has been set down to minimise impact further.

Loss of privacy – The first floor side facing window has been conditioned as obscure glazed. All other windows would face the rear garden retaining existing site circumstance.

Larger family living in property resulting in increased noise levels- The property is increasing in size by 1 bedroom; this is therefore not considered to result in significantly higher noise levels.

Visual intrusion – Visual intrusion has been assessed in the residential amenity section above. To summarise, given the depth of the proposed first floor rear extension, height of the single storey element and separation distance to neighbouring properties it is not considered that significant further detriment to the existing visual outlook of neighbouring properties would result.

Games room at garden would result in noisy use – It is not considered that the proposed garden games room would result in higher noise levels than children playing in the rear garden of the application site.

Overdevelopment- The site would remain as an individual unit and therefore would not increase density or intensification of surrounding area and as a result would not constitute overdevelopment. Moreover, the proposed development would not be overtly visible from public vantage and has been designed to remain subordinate in relation to the parent property and adhere to policy separation distance guidance.

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 be constructed in accordance with**

the materials specified on the approved drawings.

Reason: To ensure a satisfactory appearance to the development, in accordance with policy CS12 of the Core Strategy (2013).

- 3 **The family bathroom window at first floor level in the side elevation of the dwellinghouse shall be non-opening and shall be permanently fitted with obscured glass and non-opening below a height of 1.7m from floor level.**

Reason: In the interests of the amenity of adjoining residents, in accordance with policy CS12 of the Core Strategy (2012) and saved appendix 3 of the Local Plan (2005).

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

16/92/03 Rev A

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

Article 35 Statement

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 (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.