

**4/02744/16/FHA - FIRST FLOOR SIDE AND ROOF EXTENSION.  
28 PEMBRIDGE ROAD, BOVINGDON, HEMEL HEMPSTEAD, HP3 0QN.  
APPLICANT: Mr & Mrs Johnson.**

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[Case Officer - Briony Curtain]

### **Summary**

The application is recommended for approval. The site is located within the large village of Bovington wherein extensions to properties are acceptable in accordance with Policy CS4 of the Core Strategy.

The proposed extensions would significantly alter the appearance of the dwelling, however they would integrate successfully with the streetscape character and respect adjacent properties in terms of site coverage, scale, height and materials. As such the proposal complies with Policy CS12 of the Core Strategy.

Given their size and scale, the three rear dormers would slightly adversely affect the appearance of the parent dwelling, appearing as dominant and bulky additions. However they have been amended from pitched roof to flat to reduce their visual impact and relate better to the simple host roof. The dormers would be viewed from very few (if any) public vantage points and as such would not cause significant visual harm. The amenity of adjoining neighbours in terms of loss of privacy would be slightly adversely affected. However, the greater level of overlooking afforded from the dormers is not significant when compared to other rear facing windows in the vicinity or when compared to previous levels (before landscaping was established). The proposal does not affect the amenity of adjoining neighbours in terms of loss of sunlight or daylight. On balance, given the harm to residential amenity is limited, the proposal is considered to comply with Policy CS12 of the Core Strategy.

It is important to note that dormers of identical size and form to that proposed could, and have been, constructed on properties within the area without the need for planning permission under their normal permitted development rights. However, in this instance, unlike all surrounding dwellings, the roof pitch of No. 28 is too low to facilitate a loft conversion. As such the current application seeks consent to raise the roof and convert the loft. Notwithstanding the fact that consent is required, the overall impact of the proposed roof extension and rear dormers would be very similar if not identical to the impact of dormers constructed on adjacent sites without the need for consent. This is a material consideration and must be given significant weight in the determination of this application. It is thus recommended that permission is granted.

### **Site Description**

The application site lies on the south west side of Pembridge Road within the large village of Bovington. Pembridge Road and the surrounding cul-de-sacs are a 1980s development arranged in an irregular and undulating manner with houses of several different distinct designs set at angles to each other. No. 28 is a modern detached dwelling with hipped roof that is significantly lower than its neighbours, despite the eaves being level. The dwelling is red brick with white plastic board at first floor level. It is the only dwelling like this (design and materials) in the immediate vicinity, there are other identically designed properties in the wider street scene but there is no rhythm or regularity to the pattern of the different designed dwellings.

### **Proposal**

Permission is sought for the construction of a first floor side and roof extension to include rear dormers and front velux roof lights.

## **Referral to Committee**

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

## **Planning History**

4/00324/05/FHA FIRST FLOOR SIDE EXTENSION  
Granted  
31/03/2005

## **Policies**

### National Policy Guidance

National Planning Policy Framework (NPPF)  
Circular 11/95

### Adopted Core Strategy

CS4 - The Towns and Large Villages  
CS8 - Sustainable Transport  
CS12 - Quality of Site Design  
CS29 - Sustainable Design and Construction

### Supplementary Planning Guidance / Documents

Environmental Guidelines (May 2004)

## **Summary of Representations**

### Bovingdon Parish Council

Original plans - Object

Proposed dormer windows to rear of property overlook neighbouring properties causing loss of privacy.

Revised plans - awaiting comments.

### Response to Neighbour Notification / Site Notice / Newspaper Advertisement

#### No. 6 Pembridge Close:

Original and Revised Plans - Object;

- Loss of privacy. The new apex appears to be 3.1 metres higher than the current apex. Into this three dormer windows are being installed which look directly into my property. The distance from my property's boundary to the applicant's house is a mere 9.5 metres. The distance from the applicant's house to my conservatory is approximately 16 metres and 20 metres from my kitchen which means there will be a clear view into my property from the proposed three dormers. At the rear of my kitchen is a patio and the pleasure my wife and I get from using that will be severely affected if we are overlooked by these three dormers. We are both semi-retired and intend to retire next year and enjoying sitting in our garden is a pleasure we will not have if we lose the privacy we currently have. We have lived in our property for 16 years and the loss of privacy will be substantial.
- Overdevelopment. The applicant's house is on a plot which is much too small to accept the amount of development proposed and will be overbearing and out of scale to other houses in the surrounding area. It is going to be considerably higher and wider than would have

been acceptable when the properties were originally designed and built. Visually it will look very imposing. It will have a very brutal appearance. Also the highest point of the roof will be some 2 metres closer to my property than the existing roof.

- When the houses on the Moody Estate were first built there was deliberately a mixture of styles but the current proposal does not fit with any of the styles of other properties on the Estate. The appearance of the house appears to be completely different to the original with the removal of the wood cladding and the walls all to be rendered white. This will be the only property finished in this style. The house is of a Georgian design and the roof it currently has reflects that design but the proposal is to remove that roof and replace it with one that does not fit in with the original design. The tiles that are being used will alter the appearance, again meaning the house will look out of character to the surrounding properties.
- The plans do not reflect the extra height of the roof in the measurements shown.

#### Address Not Stated:

- Our main objective for concern is the detrimental effect the proposed dormers, located on the second floor will have on our privacy. One of the key reasons we decided to move was the garden and the fact that we weren't overlooked, therefore we would ask that the dormer windows are repositioned at the front of the house and the Velux at the rear to overcome this issue.
- As far as I'm aware, there are rules that govern the size of property in relation to the land. From looking at the plans, the proposed development supersedes the ratio allowed and will look very much out of place with its surroundings.
- The plans show the new proposed building will be 3 metres higher than the existing structure, which will have an overpowering appearance and have detrimental effect on the surrounding properties. This will alter the original design of the estate, which up to now has generally kept its original appearance.

### **Considerations**

#### Policy and Principle

The site is situated within the large village of Bovingdon wherein residential development is acceptable in accordance with Policy CS12 of the Core Strategy.

#### Effects on appearance of building and street scene

The proposed extensions would significantly alter the appearance of the dwelling, however they would integrate with the streetscape character and respect adjacent properties in terms of site coverage, scale, height and materials. Currently the existing dwelling appears at odds with the surrounding dwellings especially given the white plastic cladding. As such the proposal complies with Policy CS12 of the Core Strategy.

This part of Pembridge Road is characterised by properties of several different distinct designs set amongst each other. There is no overarching pattern to the street scene, properties appear at different heights, with hipped and gabled roofs and there are numerous different materials including brick, render, timber, upvc cladding and tile hanging exhibited in the street scene. The proposed extensions would make the dwelling more similar in size and style to the adjacent properties and given there is no regularity to the pattern of different dwellings it would not appear incongruous. It is proposed to raise the height of the roof, and whilst appearing approximately 1.5m higher than the existing dwelling and 150/200mm higher than existing adjacent dwellings, it would not appear unduly prominent or overbearing in the wider street scene as there is already great variance in building heights. Furthermore, given the separation distance between the properties and their orientation, the slight increased ridge line would not be perceived as such from street scene level. The application property is set 7m away from

No. 30 to the south and set back such that its front elevation aligns with the rear elevation of No. 30. To the north, No. 26 Pembridge Road is located 10m away and orientated at an angle. Given the separation of the properties, their stagger and orientation to each other, the minimal height increase would not be noticeable. Whilst they would not be readily visible from public vantage points, the pitched roof to the rear dormers has been omitted during the course of the application to reduce the mass and bulk associated with them. The flat roof dormers sit more comfortably on the rear roof slope.

Concern has been expressed about the proposed materials. There are, as stated, a number of different materials evident in the immediate street scene. The existing upvc white cladding to No. 28 results in the current building appearing incongruous. A dwelling to the south-east less than 25m away is already rendered with brickwork at ground floor level and there are other examples of render on the estate. The materials proposed would not harm the overall character and appearance of the street scene but would represent a significant improvement to the existing.

It should be noted that a first floor side extension over the garage incorporating a hipped roof was previously granted planning permission. The principle of increasing the width of the dwelling at first floor and roof level has thus already been established. The width of the dwelling would remain as previously approved albeit with a different and slightly higher roof design. It is concluded that the visual impact of the proposed extensions on the overall street scene would not be significantly greater than that of the approved scheme.

#### Impact on Highway Safety / Parking

The existing dwelling comprises 4 bedrooms. The proposal results in the creation of two additional bedrooms. Appendix 5 of the Local Plan sets out the maximum demand based parking standards and requires 3 off street spaces for a dwelling with 4 or more bedrooms. The site currently provides two off street spaces (garage and driveway) to serve the 4 bedroom dwelling and these arrangements would not be altered as part of the scheme. There is currently a shortfall of one space. However it is important to note that there is no additional parking spaces expected of a 6 bedroom dwelling compared to a 4 bedroom dwelling. Therefore what is acceptable for this 4-bedroom dwelling (in this case 2 spaces) is equally acceptable for the proposed 6-bed dwelling. In addition these are maximum demand based standards. The proposal thus complies with Appendix 5. There would thus be no adverse impact on the safety of operation of Pembridge Road.

#### Impact on Neighbours

The proposal would have an adverse impact on the residential amenities of adjacent properties but not to such a degree as to warrant a refusal.

The increased roof height allows for the conversion of the loft space, and the introduction of three rear facing dormers. These will inevitably overlook the properties to the rear, including No. 6 Pembridge close who have objected. Concern has been expressed that the dormers will directly overlook No. 6. Given the position and orientation of the properties, there are no dwellings immediately behind No. 28 Pembridge Road. Nos. 6, 8 and 10 Pembridge Close are the closest neighbours to the rear, but all of these dwellings are set an angle to the application dwelling. Similarly Nos. 1, 3 & 5 Dinmore, which are set further away, are also set at an angle. Views from the proposed dormers to all surrounding properties would thus be oblique and not direct.

Given the layout and topography of the land (relatively flat) there is already a degree of mutual overlooking between sites from the existing first floor rear facing bedroom windows of the application property. Views of the rear elevations of the properties behind (including No.6) and in some cases, their immediate garden area already exist. It is acknowledged that the elevated

position of the dormers would increase views but not to a significant or unacceptable degree. Despite neighbour concerns, given their set back position within the roof, the dormers would actually appear at a greater distance away from the properties of Pembridge Close and Dinmore than the existing first floor windows, which are closer. It is concluded that a refusal could not be sustained.

It is important to note that all of the properties in the area could, and many have (Nos. 39, 59, 11, 71 and 47) undertaken loft conversions to include rear dormers under Permitted Development without the need for planning permission. Given the very low roof pitch to No. 28 there is insufficient head height to convert the existing roof, all surrounding properties however have higher roofs and could introduce rear dormers. The effect of the dormers now proposed would be very similar to those that could be constructed without consent on adjacent properties. This is a material consideration that must be afforded significant weight in the current considerations.

With regard to the side extension, it follows the existing front and rear build lines of the existing dwelling, and whilst projecting closer to No. 26, it aligns with this neighbour's blank side wall to the north-west. The extension would thus not appear prominent or over-bearing when viewed from No. 26. It is not proposed to have any windows to the side elevation so there would be no privacy issues to No. 26, in fact, there is an existing first floor landing windows which permits direct views to the side of No; 26 and this would be lost as a result of the proposed extensions. The proposal would thus, with regard to impact on No. 26, represent an improvement to the existing situation. The side extension complies with Policy CS12 of the Core Strategy. Furthermore, given that a very similar side extension was previously approved, the principle has already been established. There have been no material changes to the site or neighbouring properties since consent was granted in 2005.

#### Other Considerations

Concern has been expressed that the proposal represents an overdevelopment of the site. The rear garden tapers and as such in places is less than the 11.5m depth requirement in Appendix 3. However, equally the depth of the rear garden in other places exceeds 11.5metres, whilst the width of the garden ranges from 13m to 15m. This ensures that the rear garden remains for a dwelling of this size a functional family amenity space. Furthermore, this is comparable to, if not in excess of, all adjacent sites. Finally, and importantly, the footprint remains the same and as such the proposed extensions do not encroach on any of the existing garden and parking areas. In policy terms there would be no difference in the amenity space requirements for a 6-bed compared to a 4-bed dwelling. Overall, therefore, in this instance, there is no sound planning reason to remove permitted development rights.

**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 or such other materials as may be agreed in writing by the local planning authority.**

Reason: To ensure a satisfactory appearance to the development and to comply with Policy Cs12 of the Core Strategy.

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

**PL/001 - Site Location Plan**  
**PL/002 - Existing Floor Plans**  
**PL/003 - Existing Elevations**  
**PL/004 Rev A - Proposed plans**  
**PL/005 Rev A - Proposed Elevations**  
**PL/006 - Street Scene**

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

Article 35:

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.