

4/03444/16/FHA - TWO STOREY SIDE EXTENSION, SINGLE STOREY REAR EXTENSION, EXTENDED DRIVEWAY, REPLACEMENT GARAGE ROOF AND ENLARGEMENT OF FRONT PORCH.

16 BARTEL CLOSE, HEMEL HEMPSTEAD, HP3 8LX.

APPLICANT: Mr & Mrs MacDonald.

[Case Officer - Rachel Marber]

Summary

The proposed two storey side extension, single storey rear extension, porch enlargement, driveway extension and replacement of garage roof would not detriment the visual amenity of the existing dwellinghouse, immediate street scene or the residential amenity of neighbouring residents. The proposal is therefore in accordance with saved appendices 3 and 7 of the Dacorum Local Plan (2004), policies CS4, CS11 and CS12 of the Core Strategy (2013), the NPPF (2012) and HCA28 SPG Character Area Guidance (2004)

Site Description

The application site features a two storey detached dwelling, linked to the neighbouring property through the adjoining garage located to the south west side of Bartel Close which falls within the Leverstock Green East (HCA28) Area Character Appraisal. The site is located on a corner plot on Bartel Close, set slightly further back from the other houses in the street scene. The property features two attached single garages which are accessible via a driveway to the front of property; onsite parking provision is sufficient to accommodate at least 3 domestic cars.

Bartel Close is a cul-de-sac and consequently the application site was build part of a wider road of similarly constructed property. As such, each property is relatively regimented in terms of size and architectural detailing; however some properties within the street scene have been extensively extended or newly built. Nonetheless, the overall character of the Close remains evident.

Proposal

The application seeks permission for the construction of a single storey rear extension, two storey side extension, porch enlargement, replacement of garage roof and driveway extension.

Following neighbour concerns the scheme has been amended to replace the previously provided pitched roof garage with a replacement flat roof.

Referral to Committee

The application is referred to the Development Control Committee due to the following reasons:

- The applicant is a member of Dacorum Staff; and
- Call in by Cllr Sutton for the reasons for loss of daylight resulting from rear extension and impact of development on character of street scene.

Planning History

No Relevant History

Policies

National Policy Guidance (2012)

National Planning Policy Framework (NPPF)

Adopted Core Strategy (2013)

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

Saved Policies of the Dacorum Borough Local Plan (2004)

Appendix 3- Gardens and Amenity Space
Appendix 7 - Small-scale House Extensions

Supplementary Planning Guidance SPG (2004)

Development Residential Area Hemel Hempstead HCA28 Leverstock Green East

Constraints

Established residential area of Hemel Hempstead

Comments received from consultees:

Herts Highways

Two Storey Side Extension, Single Storey Rear Extension and Extended Driveway

Decision

Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:

Hertfordshire County Council as Highway Authority does not object to the development, subject to the conditions and informative notes below.

CONDITIONS

1. The proposed car parking space shall have measurements of 2.4m x 4.8m min. and be located on land within the ownership of the applicant. Such spaces shall be maintained as a permanent ancillary to the development and shall be paved and used for no other purpose.

Reason: The above condition is required to ensure the adequate provision of off-street parking at all times in order to minimise the impact on the safe and efficient operation of the adjoining Highway.

2. Before the premises are occupied all on site vehicular areas shall be surfaced in a

manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: In order to minimise danger, obstruction, and inconvenience to users of the highway and of the premises.

3. All materials and equipment to be used during the construction shall be stored within the curtilage of the site unless otherwise agreed in writing by the Highways Authority prior to commencement of the development.

Reason: In the interest of highway safety and free and safe flow of traffic.

INFORMATIVES:

1. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website:

<http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.

2. Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website

3. <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047

COMMENTS

The proposal is for Two Storey Side Extension, Single Storey Rear Extension and Extended Driveway

PARKING

The proposal includes extending the driveway to create additional parking

ACCESS

There is an existing VXO onto Bartel Close. No changes are required to pedestrian or vehicular access and no works are required in the highway.

Bartel Close is an unclassified local access road with a 30mph speed limit, so vehicles are not required to enter and leave the highway in forward gear.

CONCLUSION

Subject to the conditions and informative notes above, the proposals are not considered to result in any adverse impact on the public highway and are considered acceptable to the Highways Authority.

Building Control

No Comment

Comments received from local residents:

18 Bartel Close

Objection

The description is not accurate, and does not include the pitched/hipped roof over the garage, nor the enlarged front porch, which are shown on the layout plans.

The proposed development is out of character, over-bearing and not in keeping with the design and appearance of the other linked detached properties in Bartel Close. Please refer to the associated documentation - Appendix 1, showing images of all 12 linked detached properties in the Close. You will see that none of them have a pitched/hipped roof over the garage. Furthermore, this will look incongruous next to my existing flat roof.

Under the terms of the Party Wall etc. Act 1996, I fail to see how such construction on the roof of No 16 will not involve damage to the party boundary wall and trespass onto my garage roof.

Dropped kerbs of 16/18 & 20/22 form part of the public footpath and should be accessible to pedestrians at all times during the period of the construction.

I understand that the main sewer from my property to the main road is situated directly under the proposed single storey rear extension. I would like to know what plans are in place to ensure that no disruption is caused to the sewer during, or after the construction.

I am very disappointed that the Applicant hasn't had the courtesy to contact me regarding the proposed development to discuss their plans.

I understand that you will be conducting a site visit in the near future and would be grateful if you would confirm when this is to take place.

In consideration of the above points, I therefore ask that this application be refused.

14 Bartel Close

Objection

We live at 14 Bartel Close and were surprised to learn of our neighbour's proposed extension as they have not contacted us directly on this matter.

We have several concerns regarding this proposal.

We are concerned about the single storey rear extension because of the loss of light to our garden. The shadow from the extension will impact on the direct sun that we receive because the sun passes to the far side of number 16 from the front to the back and creates significant shadow which will only be increased with the height of the pitch of the roof on the extension and the length of the extension away from the current back wall. I have included the photo evidence of the current shadow at 14:32 on 24th January when the sun was at its highest. The whole of our rear patio was in shade and only one third of the remaining garden was in sunlight, the remainder shaded by number 16 and the fence. Accepting that it is better during the summer, the rear extension must remove light from our garden throughout the

year.

We would also like to comment on the effect of the noise and disruption caused by the building work to our young family, restricting their use of the garden due to the noise and dust created by the work. We also live in a quiet neighbourhood and would therefore like reassurance that the hours worked will not be unsocial.

Whilst the Close is quiet and there is adequate parking we would request that the vehicles associated with the work are parked considerately, as currently our view of the street is frequently obstructed by the applicants own work van which is rarely parked on their own empty driveway.

In closing we would reiterate that we are very disappointed, given the impact both upon our property and the likely significant disruption to our family and the quiet, pleasant environment of the Close that will be caused by this extensive building project taking place immediately next door that the applicants did not take the opportunity to discuss this matter with us.

Cllr Sutton application called in

On behalf of No. 14.

Several concerns have been expressed but I feel that the only one that may carry weight is that the construction of a single storey extension will result in loss of natural light during afternoon/evening.

On behalf of No. 18.

Main concerns are that the potential construction is not truly represented by the plain. There are serious concerns that building over the garage, which includes a party wall, that the integrity of this wall will be compromised thus causing potential damage to the property at No. 18. There are also concerns that work to construct this extension would require access to No. 18 and this would not be granted by the resident at No.18. A further concern that this development would impact on the character of the street scene and also result in over development.

I feel that these are the main issues that have been put forward.

Considerations

Principle of Development

The application site is located within a residential area, wherein in accordance with policy CS4 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 of consideration relate to the impact of the proposal's character and appearance upon the existing dwellinghouse, immediate street scene and residential amenity of neighbouring properties.

Effect on Appearance on Existing Building and Immediate Area

Saved appendix 7 of the Dacorum Local Plan (2004), 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.

Supplementary Planning Guidance Document, Leverstock Green East Character Area Appraisal (HCA28) (2004) outlines that extensions should normally be subordinate in terms of scale and height to the parent building.

In accordance with the submitted application the proposed extensions and associated alterations would comprise of facing brickwork walls, white UPVC windows and doors and roof tiles, all to match existing. These materials are considered acceptable and in-keeping with the existing dwellinghouse; complying with policies CS12 of the Core Strategy (2013).

The proposed replacement roof on the single garages would retain the appearance of the existing flat roof. The proposed porch extension would elongate this roof form, but as a nominal addition would retain the property's appearance within the street scene.

The two storey side extension would retain the existing dwelling ridge height and be flush to the parent property. This is considered acceptable as the proposed dwelling would be increased only by 2 metres in width and retain a 0.5 metre set in from the property boundary which would maintain the separation distances between dwellings. Moreover, the immediate street scene contains properties with similar flush two storey side extensions such as numbers 24 (4/00340/14/FHA) and 31 Bartel Close (4/01588/11/FHA).

No aspect of the proposed single storey rear extension would be visible from the street scene. As a result there would be no adverse impact on the street scape, preserving both the character and appearance of the existing dwelling house and wider street scene.

No objections are raised in regards to the proposed driveway expansion. The paving over a grassed area to enable an enlarged driveway does not require formally planning consent under Schedule 2, Part 1, Class F of the General Permitted Development Order (2015).

As a result the proposal is not considered to have an adverse impact upon the character and appearance of existing dwellinghouse or immediate street scene. The proposal is therefore in accordance with saved appendix 7 of the Dacorum Local Plan (2004), policies CS11 and CS12 of the Core Strategy (2013), the HCA28 Area Character Appraisal and the NPPF (2012).

Impact on the Living Conditions of Occupants and Surrounding Residential Units

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 or privacy. Moreover, saved appendix 7 of the Local Plan advises that first floor alterations should be set within a line drawn at 45 degrees from the nearest neighbouring habitable window.

The two storey side extension would retain the original front and rear build lines of the parent property. For this reason it is not considered that this element would result in a loss of daylight or outlook to neighbouring residents at 18 Bartel Close.

Similarly, the proposed single storey rear extension is not considered to result in a significant

loss of daylight to neighbouring ground floor doors/windows or garden space due to the marginal 3.5 metre depth and 3.8 metre height. It is important to note that a larger single storey rear extension, extending the full width of the property with a 0.5 metre longer depth and 0.2 metre greater height could be constructed without formal planning consent under Schedule 2, Part 1, Class A of General Permitted Development Order (2015).

No further loss of privacy would result from the proposed extension/alterations due to no newly imposed first floor side elevation windows.

A 11.8 metre (approximately) deep garden would be preserved as a result of the proposal; adhering to the 11.5 metre standard external amenity provision outlined in saved appendix 7 of the Local Plan (2004).

As a result the proposal in regards to residential amenity is acceptable in terms of the NPPF (2012), saved appendices 3 and 7 of the Local Plan (2004) and policy CS12 of the Core Strategy (2013).

Highway Safety and Parking Provision

Policy CS12 of the Core Strategy (2013) seeks to ensure developments have sufficient parking provision. Paragraph 39 of the NPPF (2012) states that if setting local parking standards authorities should take into account the accessibility of the development, the type, mix and use of the development, availability of public transport; local car ownership levels and the overall need to reduce the use of high emission vehicles. Policies CS8 of the Core Strategy (2013) and saved appendix 5 of the Local Plan (2004) promotes an assessment based upon maximum parking standards. The Council's Parking Standards outlined within saved appendix 5 of the Local Plan (2004) requires two/three off street parking spaces for four+ bed dwellings within Residential Zone 1-4. The application does not seek to increase the number of bedrooms and therefore no increase in off street parking provision is required in this regard. The application seeks to enlarge the front driveway of the property increasing off street parking provision to accommodate at least four domestic cars. Hertfordshire Highways were consulted on the proposed driveway expansion and provided the following conclusive comments:

"Subject to the conditions and informative notes above, the proposals are not considered to result in any adverse impact on the public highway and are considered acceptable to the Highways Authority."

Due to Highways raising no objection and ample off street parking provision, the proposed development would not result in significant impact to the safety and operation of adjacent highway. Thus, the proposal meets the requirements of policy CS8 and CS12 of the Core Strategy (2013) and saved appendix 5 of the Local Plan (2004).

Consultation Responses:

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

Visual appearance of pitched roof on garage- this element of the scheme has been omitted.

Party wall matters- Party Walls are civil matter which outside the remit of the Local Planning

Authority. The neighbours concerned would be advised to seek the advice of the Citizens Advice Bureau or a solicitor who deals with Party Wall matters.

Location of main sewer- This matter will be considered at Building Control stage. Nevertheless, the agent has advised that the works over the existing drainage line would not affect neighbouring drainage.

Loss of light from rear extension- This is addressed within Section 4- residential amenity above.

Noise during construction work- Resultant noise and disruption from construction work would be for a temporary period only and restricted to 7:30am to 6:30pm on Monday to Saturday with no noisy activities allowed on Sundays and bank holidays.

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, in accordance with policy CS12 of the Core Strategy (2013).

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

06 Rev B
05 Rev A
08 Rev A
04 Rev A

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

Informative 1 -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.

Informative 2- Highways

1. All materials and equipment to be used during the construction shall be stored within the curtilage of the site unless otherwise agreed in writing by the Highways Authority prior to commencement of the development.

2. The proposed car parking space shall have measurements of 2.4m x 4.8m min. and be located on land within the ownership of the applicant. Such spaces shall be maintained as a permanent ancillary to the development and shall be paved and used for no other purpose.
3. Before the premises are occupied all on site vehicular areas shall be surfaced in permeable paving. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.
4. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website: <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.
5. Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.

Informative 3- Construction Hours

Noisy construction works are limited to the following:

Monday to Saturday - 7:30am to 6:30pm

Sundays and bank holidays - no noisy activities allowed