

**4/00777/17/FHA - SINGLE STOREY SIDE AND REAR EXTENSIONS, FIRST FLOOR SIDE EXTENSION, ALTERATIONS TO ROOF, ALTERATIONS TO GARDEN PATIO.
23 SILVERTHORN DRIVE, HEMEL HEMPSTEAD, HP3 8BU.
APPLICANT: Stuart Henley & Partners.**

[Case Officer - Rachel Marber]

Summary

The proposed two storey side extension and single storey rear extension, car port and associated roof and landscaping alterations 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, 5 and 7 of the Dacorum Local Plan (2004), Policies CS4, CS11 and CS12 of the Core Strategy (2013), the NPPF (2012) and Longdean Park Area Character Appraisal (2004).

Site Description

The application site is located on the west side of Silverthorn Drive, which is a private road and features a corner plot location at the junction of Highclere Drive and Silverthorn Drive. The detached two storey property is located on higher ground fronting Highclere Drive, with the garden sloping downwards, towards Silverthorne Drive.

The street scene of Silverthorne Drive and Highclere are characterised by large, detached properties situated on spacious plots each of varied architectural detailing (mostly modern designs from the 1960s and 1970s), size, height and build line.

Proposal

The application seeks permission for the construction of a single storey rear extension, two storey side extension with balcony, roof alterations and associated landscaping works.

The proposed scheme has been amended to remove the second floor roof terrace.

Referral to Committee

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

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 5- Parking Provision
Appendix 7 - Small-scale House Extensions

Supplementary Planning Guidance (2004)

Longdean Park (HCA25)

Constraints

Established residential area of Hemel Hempstead
Heathrow Wind Turbine Safeguarding Zone

Summary of Representations

Nash Mills Parish Council

Objection

Nash Mills Parish Councils' Planning Committee met last night to consider the above application.

The Chair of the Planning Committee Cllr Peter Lardi along with committee member Cllr Louise Gross (both members of Longdean Park RA) declared an interest and left the meeting.

The remaining planning committee strongly object to the above application citing a detrimental impact to neighbouring properties due to loss of privacy/overlooking issues

Building Control

No Comment

Comments received from local residents:

34 Silverthorn Drive

Objection

I object strongly to the proposed building of a terrace which would look straight into my bedroom plus other rooms of my home. This is an infringement of my right to privacy , And an eyesore to boot .

I believe the building work has started

We would like to strongly object to the proposed plans on the grounds of privacy and looks.

Looking at the proposed plans it appears that this extension would result with a direct line of

sight into at least three bedrooms if not four, from the proposed terrace and extension.

Our understanding is the reason for the enclosed plans is to make use of the views behind our property therefore this means by default that they will be able to look into every room of our property with front facing windows which includes two master bedroom's as well as 2 other bedroom's, and parts of the rear.

I think this would also be grossly over bearing as this property is on a slop therefore could also stop natural light reaching into our property and would appear very over bearing given this is up hill from our house.

I believe this is a direct infringement of my right to privacy and light.

We note there is a line of trees however as shown on the plans these have been removed and even if left would still allow views directly into bedrooms.

We would also note that the style of work is not in keeping with any other homes on the estate, and building works have already started which has included breach of building codes by stealing water from Fire Hydrants.

Key Considerations:

Principle of Development

The application site is located within a residential area, wherein accordance with 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 of the immediate area and residential amenity of neighbouring properties.

Effect on Appearance of Existing Building and Conservation 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.

Moreover, the Longdean Park Area Character Appraisal (HCA25) housing design requirements outlines, *"No special requirements, although this area could accept designs of an innovative and/or modern nature with any particular stylistic approach, within the guidelines set out in these Development Principles."* Furthermore, the extensions design criteria states that extensions, *"may exceed the scale, height and bulk of the parent building when the character and appearance of the street scene is not harmed, and spacing and landscaping requirements can be maintained"*.

The proposed extensions and roof alterations would alter the character and appearance of the property, however due to the varied nature of the street scene it is not considered that the proposed new dwelling would appear overtly bulky or incongruous. Moreover, the existing property is not overtly visible from either street scene (Silverhorn Drive or Highclere Drive) due to heavy boundary treatment surrounding the site.

The DBC conservation and design officer was informally consulted on the proposal and whilst he acknowledges that the existing building is of minimal architectural merit he mentioned the proposed alterations from front elevation perspective appears somewhat over extended. Nonetheless, by reason of the limited views of the property from the immediate street scenes (which are private roads and not visible from public perspective) in conjunction with the Longdean Park Area Character Appraisal extension design guidance outlined above, it is not considered that the overall design of the extensions would result in detrimental harm.

The proposed landscaping alterations to the site would result in a degree of site excavation however; the change in land levels would serve a functional purpose, allowing easier permeability from the property to the external amenity space. It is not considered that these changes would be overtly visible from the street scene due to the incline of site and heavy boundary treatment surrounding the property.

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 NPPF (2012) and Longdean Park (HCA25) Area Character Appraisal SPG (2004).

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 (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, 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 (2004) advises that alterations should be set within a line drawn at 45 degrees from the nearest neighbouring habitable window.

The proposed two storey side extension would have a marginal projecting depth of 5 metres and infill above the existing property's footprint. Moreover, the proposed two storey side extension would result in a roof form only 1.7 metres (approximately) higher than the existing property. It is further considered that as the application site is situated on lower ground and approximately 23 metres away from neighbouring property 30 Highclere Drive the proposed alterations would not result in visual intrusion or loss of daylight and sunlight to this property. Moreover, little change to the elevation fronting Silverthorn Drive will result, maintaining this existing site circumstance.

Following neighbours' concerns the roof terrace has been removed in order to preserve the privacy and prevent overlooking into neighbouring properties. Additionally, the two proposed first floor balcony would not result in loss of privacy to No.32 Silverthorn Drive due to 38 metre (approximate) separation distance and 1.88 metre height screen which would block views towards 30 Highclere Drive.

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 (2004) and Policy CS12 of the Core Strategy (2013).

Impact on Car 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 policies 57, 58 and Appendix 5 of the Local Plan (2004) promote an assessment based upon maximum parking standards. The Council's Parking Standards outlined within saved Appendix 5 of the Local Plan (2004) 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 five, which would not require an increase in parking provision. Nonetheless, on site provision is sufficient to accommodate at least three 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 (2004).

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 carried out in accordance with the following approved plans/documents:**

Application Form

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

- 3 **The roof area above first floor level shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the local planning authority.**

Reason: In the interests of the residential amenities of the adjacent dwellings; in accordance with Policy CS12 of the Core Strategy (2013).

Article 35 Statement

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) (Amendment No. 2) Order 2015.