
Appeal Decision

Site visit made on 11 October 2016

by Tom Gilbert-Wooldridge BA (Hons) MTP MRTPI IHBC

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 25th October 2016

Appeal Ref: APP/A1910/D/16/3154940

Kingsmead, Kings Lane, Chipperfield, Hertfordshire WD4 9EN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs Nicola Duncan against the decision of Dacorum Borough Council.
 - The application Ref 4/00544/16/FHA, dated 1 March 2016, was refused by notice dated 3 June 2016.
 - The development proposed is two storey side extension and single storey rear extension, new car port and alterations to the appearance of the house.
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Decision

1. The appeal is allowed and planning permission is granted for a two storey side extension and single storey rear extension, new car port and alterations to the appearance of the house at Kingsmead, Kings Lane, Chipperfield, Hertfordshire WD4 9EN in accordance with the terms of the application, Ref 4/00544/16/FHA, dated 1 March 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 3207 01 Rev C, 3207 05 Rev E, 3207 06 Rev E and 3207 09.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 4) The development shall not be occupied until the windows on the first floor south-east elevation of the side extension hereby permitted have been fitted with obscured glazing. Once installed, the obscured glazing shall be retained thereafter.
 - 5) All hard and soft landscape works shall be carried out and maintained in accordance with the approved details on site plan (3207 01 Rev C). The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the local planning authority.

Main Issues

2. The main issues are the effect of the proposed development on (a) the character and appearance of Chipperfield Conservation Area and the
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surrounding area and (b) the living conditions of occupiers of neighbouring properties, with regard to outlook, light and privacy.

Reasons

Character and appearance

3. The appeal site is located within a selected small village in the Green Belt as designated by Policy CS6 of the Dacorum Core Strategy (adopted 25 September 2013) ('the Core Strategy'), which permits house extensions in such locations provided that they are sympathetic with their surroundings and retain and protect features essential to the character and appearance of the village.
4. The appeal site is situated on Kings Lane within Chipperfield Conservation Area. The significance of the conservation area can be derived from the rural and historic character and appearance of the village surrounded by countryside and incorporating Chipperfield Common and other large areas of open space. The conservation area has a mix of attractive properties with varying architectural styles from smaller cottages on narrow plots and to larger detached houses on generous plots.
5. Kings Lane consists of detached properties along its south-western side with open countryside to the north-east. Kingsmead is large detached property and has a pleasant Arts and Crafts appearance. It is positioned much further back from Kings Lane than the adjoining properties on a spacious plot. As a result, it does not intrude on the street scene or countryside beyond and has an acceptable effect on the skyline of properties along the road. The property and appeal site thus make a positive contribution to the significance of the conservation area.
6. The proposed development would be a significant enlargement of the existing property. However, the development would respect the design, detailing and proportions of the existing property. The rear dormers and front bay window would sit comfortably within the property and would not be overly prominent. The car port in front of the property would be subservient in height and footprint. There would be adequate space around the property to satisfactorily accommodate the development within the plot, assisted by the set back from the road. Therefore, the development would not dominate the wider area or detract from the skyline. It would maintain the characteristic of a large detached house on a generous plot with a pleasant appearance and thus would not harm the significance of the conservation area.
7. Concluding on this main issue, the proposed development would have an acceptable effect on the character and appearance of Chipperfield Conservation Area and the surrounding area. Therefore, it would accord with Policy CS6 of the Core Strategy as a house extension that would be sympathetic to its surroundings and would retain and protect features essential to the character and appearance of the village. It would also accord with Policies CS11 and CS12 of the Core Strategy which, amongst other things, seek to preserve attractive streetscapes, avoid visual intrusion and respect adjoining properties in terms matters such as scale, height and materials.
8. The development would accord with Policy CS27 of the Core Strategy and Policy 120 of the Dacorum Borough Local Plan (adopted 21 April 2004) ('the

Local Plan') which seek development that positively conserves and enhances the appearance and character of conservation areas, complementing the existing building and area in terms of scale, proportion and materials. It would also accord with Appendix 7 of the Local Plan which sets out detailed guidance on house extensions, and would meet the aims of the National Planning Policy Framework (NPPF) to sustain the significance of designated heritage assets.

Living conditions

9. The Old Cottage to the north of the appeal site sits much closer to Kings Lane than Kingsmead. The south-east side elevation of The Old Cottage faces the front garden of Kingsmead and projects nearer to the front garden towards the rear of the property. The front door of The Old Cottage faces towards the road, with a single ground floor window on the part of the side elevation nearest to the front garden of the appeal property that appears to provide light to the space behind the front door. There are also windows and doors on the rear elevation of The Old Cottage adjoining a rear garden that extends as far as the north-west side elevation of Kingsmead, as well as windows on the part of the side elevation that is set further back from the front garden of Kingsmead.
10. The proposed carport would be located along the boundary between Kingsmead and The Old Cottage, but would not project in front of the nearest ground floor window in the side elevation of The Old Cottage. Any view from this window towards the carport would be oblique, while views from the windows and doors on the rear elevation of The Old Cottage would be even more at an angle. There would be direct views from the side and rear garden, but these would largely consist of the roof space which would slopes away from the boundary and would lessen the effect. As a consequence, there would not be an unacceptably harmful effect on the living conditions of occupiers of The Old Cottage in terms of outlook.
11. The carport would reduce some light to the side and rear elevations and gardens of The Old Cottage, particularly in the afternoon in terms of sunlight. However, it would be a relatively small structure in height and footprint, and would not be sited directly in front of any window. Adequate levels of light would continue to be received to the property and its outdoor spaces. As a consequence, there would not be an unacceptably harmful effect on the living conditions of occupiers of The Old Cottage in terms of light.
12. I have taken into account comments about the recently constructed outbuilding in the rear garden at Kingsmead and its effect on The Old Cottage, but this is sited away from the proposed development to have little cumulative effect on the living conditions of occupiers of The Old Cottage.
13. To the south, Corner Cottage sits in a similar proximity to the road as The Old Cottage, with first floor windows on the rear elevation partially visible from the rear garden of Kingsmead between vegetation along the side boundary. The proposed side and rear extensions would bring Kingsmead closer to the side boundary, but would be sited considerably to the rear of Corner Cottage. Any view from the rear elevation of Corner Cottage and the part of the rear garden nearest to this elevation would be oblique and largely screened by vegetation along the boundary. Views from further down the rear garden would similarly be screened by vegetation. Effects on light to Corner Cottage would be limited given the separation distance and orientation of the extensions to the north. The appellant has indicated that any side facing first floor windows would be

obscured glazed which could be secured by condition. Thus, any harm to the living conditions of occupiers of Corner Cottage in terms of outlook, light and privacy would be limited and not unacceptable.

14. Similar concerns relating to living conditions have been raised by occupiers of properties further south of Corner Cottage as far as Little Copthall. However, given the separation distances and intervening vegetation, there would be very little impact on the occupiers of these properties in terms of light, outlook or privacy.
15. Concluding on this main issue, the effect of the proposed development on the living conditions of occupiers of neighbouring properties would not result in any unacceptable harm. Therefore, it would accord with Policy CS12 of the Core Strategy which, amongst other things, seeks to avoid visual intrusion, loss of light and loss of privacy and development that respects adjoining properties. It would also accord with Appendices 3 and 7 of the Local Plan which seek good layout and design of residential areas and house extensions for the benefit of adjoining neighbours. The development would also meet the aims of paragraph 17 of the NPPF which seeks a good standard of amenity for all occupants of land and buildings.

Other Matters

16. Neither the appellant nor the Council have indicated that the proposal would be inappropriate development in the Green Belt. As I have found that the proposed development would be in proportion to the original building and compliant with Policy CS6, I have no reason to disagree with this position.
17. Concerns have been raised that the grant of planning permission for the proposed development would make it impossible to implement an approved scheme at The Old Cottage. I have not been provided with any information on the approved scheme and why it would not be possible to implement, so am unable to give these concerns much weight. On a separate matter, while The Old Cottage is evidently a building of clear historic and architectural merit, the proposed development would not block views of it given the siting of the extensions and the subservient height and footprint of the carport.
18. Concerns are also raised that a number of works have already been carried out at the appeal site including the removal of existing hedging. From the evidence before me, it does not appear that there has been an excessive amount of work to the appeal site and property, while additional planting is proposed within the front garden to reinforce the level of screening.
19. Concerns about previous instances of subsidence at Corner Cottage are noted, but I do not have any clear evidence that the proposed development would contribute to further subsidence. I also note complaints about the noise of the existing gravel driveway. At my site visit however, the driveway did not seem unusually noisy and its small enlargement to accommodate the carport would not have unacceptably harmful effects.

Conditions

20. Conditions setting a time limit for the commencement of development and for it to be carried out in accordance with the approved plans are necessary for clarity and compliance. A condition concerning the materials to be used is

necessary and relevant to ensure that the appearance of the development is satisfactory.

21. A condition controlling the glazing of first floor windows on the south-east elevation of the side extension is necessary for reasons of privacy at Corner Cottage. Requiring the implementation of hard and soft landscaping measures shown in Drawing 3207 01 Rev C is necessary to ensure that additional screening is provided in the front garden and the appearance of the driveway is satisfactory.

Conclusion

22. The proposed development would have an acceptable effect on the character and appearance of Chipperfield Conservation Area and the surrounding area and would not result in unacceptable harm to the living conditions of occupiers of neighbouring properties. For these reasons, and having had regard to all other matters raised, I conclude that the appeal should be allowed.

Tom Gilbert-Wooldridge

INSPECTOR