

**4/01331/17/FUL - DEMOLITION OF EXISTING HOUSE AND GARAGE. CONSTRUCTION OF 3 NO. 3 BEDROOM HOUSES AND EXTERNAL WORKS.
17 TRING ROAD, WILSTONE, TRING, HP23 4NU.
APPLICANT: Frithsden Construction (SW) Ltd.**

[Case Officer - James Gardner]

Summary

This application is recommended for APPROVAL. The development would provide two additional units of housing, would satisfactorily integrate with the street scape character, would not adversely impact adjoining residents, and would conserve and enhance the Wilstone Conservation Area.

Site Description

The application site is located on Tring Road, Wilstone and comprises a detached 1950/60s gable fronted dwelling with an existing driveway leading to a free-standing garage proximate to no. 19's flank wall. The dwelling is externally finished in brick with timber weatherboarding detail. The roof, which contains two side-facing dormer windows, is finished in concrete roof tiles.

There is a lawn located to the front which is enclosed by an attractive brick wall in Flemish bond. To the rear, the garden is enclosed by a mixture of close boarded fencing and a brick wall.

The area is predominantly characterised by terraced dwellings but there are examples of semi-detached and detached properties.

Proposal

The application proposes the demolition of the existing dwelling and the construction of three (3-bed) terraced dwellings.

The dwellings would be 11.46 metres deep at ground floor level and 8.76 metres at first floor level. They would have a width of 12.6 metres and a maximum ridge height of 7.95 metres. A total of four car parking spaces are proposed.

The dwelling closest to no. 15 Tring Road would have a variable distance between the building and boundary ranging from 1.74 metres at the front corner and 1.10 metres at the rear corner. The dwelling closest to no. 19 Tring Road would also have a variable distance from the boundary – 1.15 metres at the front corner and 1.19 metres at the rear corner. The terrace would be set back from the highway by approximately 16.65 metres.

Referral to Committee

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

Policies

National Policy Guidance (2012)

National Planning Policy Framework (NPPF)

Adopted Core Strategy (2013)

CS1- Distribution of Development
CS2 - Selection of Development Sites
CS7 - Rural Area
CS8 - Sustainable Transport
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS17 - New Housing
CS29 - Sustainable Design and Construction

Saved Policies of the Dacorum Borough Local Plan (2004)

Policy 10 - Optimising the Use of Urban Land
Policy 18 - The Size of New Dwellings
Policy 21 - Density of Residential Development
Policy 51 - Development and Transport Impacts
Policy 58 - Private Parking Provision
Policy 99 - Preservation of Trees, Hedgerows and Woodlands
Policy 100 - Tree and Woodland Planting
Appendix 3 - Gardens and Amenity Space
Appendix 5 - Parking Provision

Summary of Representations

15 Tring Road

01/07/17:

Regarding 4/01331/17/FUL -

- a) We prefer the siting of this scheme, but would ask:
- I. Whether it is possible to lower the ridge height to match existing adjacent cottages
 - II. Three properties on the site seems excessive, could two be considered
 - III. If three properties are built on the site, the middle one would have to bring their bicycles and garden waste through the house
 - IV. Loss of light from our lounge and the hall does concern us, when we met with the builder he had agreed to give us a further site plan after he had spoken to you about moving the scheme nearer to the road

15/07/17:

Our comments are:

- a) The proposal of three properties on the site is excessive and removes our right to quiet enjoyment as the new build is set so near the boundary of adjacent dwellings.
- b) In the new proposal, the three new patio areas will be adjacent to the lounge within our property, which means that we lose the right to peaceful enjoyment of all our

possessions which includes the home and other land as stated under Protocol 1, Article 1 of the Human Rights Act. Also under Article 8 of the Human Rights Act it states that a person has the substantive right to respect for their private and family life.

- c) There will be substantially, in fact three times more noise and smell from the new build.
- d) Loss of privacy, overshadowing and loss of sunlight/daylight seriously affects our property within the lounge and hall areas.
- e) Water pressure in Wilstone is low, what steps are being taken to prevent the new build, times three and with up to 18 additional people on the site, worsening this?
- f) There are problems with foul drainage in Wilstone, can you confirm that the new build will not exacerbate this further?

19 Tring Road

22/06/17:

With the new build so close to our property we are both very concerned of the light loss to rear of the property (45 degree rule) due to the build being pushed back to enhance parking area at the front, We have enjoyed privacy to the rear garden and would feel the overbuild and parking would not be in keeping within the village community.

Are suggestion would be to have two four bedroom home as per reference 4/01335/17/FUL

07/07/17:

It is with regret that we are to disagree with the development of three houses on the grounds that we would lose natural light into our kitchen and dining area, we believe that three houses would be overbuild and increase parking issues also drainage of which we have an issue already of blocking the pumping station. When we bought this property it was for the privacy to our back garden.

We in principle agreed to the development of the two four bedroom as they were set back towards the main road, the architect has improved by moving the three houses three metres but this is still not enough to agree the forty five percent light rule.

We also believe that this could effect that value of our property also the increase overbuild may cause in the future the sell factor, therefore we are seeking legal advice.

22/08/17:

We strongly disapprove of this build on the grounds that we feel the site to be overbearing to our property with infringement to our privacy which we have enjoyed in our rear garden, we believe it will lower value price to our home because the side of the new build will be overpowering the views we current have. Please also consider the issue of drainage as we ready have issues of blocked sewage, you will need to contact the water board to discuss. There is also an issue of increased noise levels with three families opposed to two four bedroom homes which would gladly agree to. Please consider the two four bedrooms as a better build, it would better in keeping within the village community. Thank you

21 Tring Road

21/06/17:

I am concerned about the loss of morning light over the gardens of nos 19,21 & 23. I am also concerned about potential parking problems, which has become an issue over the past few years. With so many terraced houses, and with most having two cars, there is simply not enough on street parking available. I prefer the option of two four bedroomed houses.

DBC Conservation

No formal comments.

DBC Building Control

No comments received.

DBC Trees and Woodlands

No comments received.

Affinity Water

No comments received.

Thames Water Utilities

No comments received.

Tring Rural Parish Council

11/07/17:

The Parish Council would like to Object to the planning application on the basis of:

1. density – it is felt that three houses and the associated cars and people would make the area too dense
2. Car Parking – while the Parish Council appreciates the reason for the developer to bring forward the line of the houses the knock on effect is to reduce the number of car parking spaces to 4. With three 3-bed houses it is expected that there will be at least 6 cars and possibly more. The Council are concerned that these additional cars will ‘park’ in the picturesque centre of the village causing congestion.

03/08/17:

The Parish Council discussed both applications last night and are Objecting to both applications on the basis of:

- Density – they want to clarify that this isn’t density in relation to the rest of the village but a density increase in terms of what is on the plot now. Several of the Councillors felt that the plot is too narrow at the front for two or three houses.
- Parking and traffic – at this location in Wilstone parking and traffic is already an issue and the Council feel giving permission for these dwellings would add to the problem

Country Archaeologist

The proposed development lies within Area of Archaeological Significance no. 13, as identified in the Local Plan. This covers the historic village of Wilstone, which has medieval origins (Historic Environment Record no. 4435). Medieval records suggest that it was only ever a

modest hamlet at that time. By the mid 16th century it was wealthier than Puttenham, Wigginton or Aldbury, and it benefitted greatly from the construction of the Grand Union Canal and reservoir at the end of the 18th century.

The proposed development site is 20m away from no. 13 Tring Road, a Grade II Listed 15th century timber-framed house (HER no. 15962), suggesting that this part of Wilstone may have been within the later medieval hamlet. The nearby half Moon public house is a mid-17th century building, also Grade II Listed and timber-framed (HER no. 13394).

The 1878-1892 Ordnance Survey 1st edition map shows a structure, presumably a dwelling, within the proposed development area. This has been demolished by the time of the OS 2nd edition (1899), and its age and provenance is unknown, although it appears to have been a sizeable detached structure.

I believe therefore that the proposed development is such that it should be regarded as likely to have an impact on heritage assets of archaeological interest and I recommend that the following provisions be made, should you be minded to grant consent:

1. the archaeological monitoring of groundworks related to the development, including all ground reduction, foundation trenches, service trenches, landscaping, and any other ground disturbance. This should include a contingency for preservation or further archaeological investigation of any remains encountered;
1. analysis of the results of the archaeological work with provisions for subsequent production of a report(s) and/or publication(s) of these results & an archive;
1. such other provisions necessary to protect the archaeological interests of the site.

I believe that these recommendations are both reasonable and necessary to provide properly for the likely archaeological implications of this development proposal. I further believe that these recommendations closely follow the policies included within Policy 12 (para. 141, etc.) of the National Planning Policy Framework. and the guidance contained in the Historic Environment Planning Practice Guide.

In this case two appropriately worded conditions on any planning consent relating to these reserved matters would be sufficient to provide for the level of investigation that this proposal warrants. I suggest the following wording:

Condition A

No demolition/development shall take place/commence until a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

1. The programme and methodology of site investigation and recording
1. The programme for post investigation assessment
2. Provision to be made for analysis of the site investigation and recording
3. Provision to be made for publication and dissemination of the analysis and records of the site investigation
4. Provision to be made for archive deposition of the analysis and records of the site investigation
5. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

Condition B

i) Demolition/development shall take place in accordance with the Written Scheme of Investigation approved under condition (A).

ii) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Herts Property Services

No comments received.

Herts Highways

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 considers that the proposal would not have an increased impact on the safety and operation of the adjoining highways and does not object to the development, subject to the conditions and informative notes below

CONDITIONS

1. The proposed car parking spaces 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.

I should be grateful if you would arrange for the following note to the applicant to be appended to any consent issued by your council:-

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

COMMENTS

The proposal is for Demolition of existing house and garage. Construction of 3 no. 3 bedroom houses and external works on Tring Road

PARKING

The proposal is to provide a total of 4 parking spaces for the three properties, on a new hardstanding to the front of the properties. Recommended parking levels are set by the LPA I notice from document 217 pa2.101 A: Proposed Site Plan supplied with the application that conditions 1 and 2 above have been met.

ACCESS

The proposal is that the existing vxo will serve the new parking area.

Tring Road is an unclassified local access road, so vehicles are not required to enter and leave the site in forward gear. It is subject to a 30mph speed limit, with low pedestrian traffic and no accidents in the vicinity in the last 5 years.

CONCLUSION

The proposals are considered acceptable to the Highways Authority subject to the conditions and informative notes above

Canal & River Trust

Does not wish to comment.

Relevant Planning History

4/01335/17/FUL

Demolition of existing house and garage and construction of 2 no. 4 bedroom houses and external works
Granted

Considerations

Policy and Principle of the Development

The application site is located within the village of Wilstone which is located within the defined Rural Area. Development is supported in Wilstone provided that it supports the vitality and viability of the community, causes no damage to the existing character of a village and / or surrounding area and is compatible with policies protecting and enhances the Rural Area.

Aldbury, Long Marston and Wilstone are the largest settlements within the Rural Area and provide homes for several hundred people, as well as containing important services and facilities which need to be maintained. These villages are considered to be the most suitable locations for small-scale sensitively designed development that meets the long-term needs of the rural community and wider countryside.

Policy CS17 of the Core Strategy seeks to promote residential development to address a need for additional housing within the borough and new dwellings are supported in principle by policy

CS18 of the Core Strategy.

The National Planning Policy Framework (henceforth referred to as the NPPF) encourages the provision of more housing within towns and other specified settlements and encourages the effective use of land by reusing land that has been previously developed.

The main issues to the consideration of this application relate to the impact on the development on the Wilstone Conservation Area and the amenity of the adjoining residential properties.

Impact on Character and Appearance of Area and Effect on the Street Scene

Core Strategy Policies CS11, CS12 and CS13 state that development within settlements should respect the typical density in the area, integrate with the streetscape character and contribute to the quality of the public realm. Chapter 7 of the NPPF states that planning policies and decisions should not attempt to impose architectural styles or particular tastes and, in particular, states that permission should be refused for development of a poor design which fails to improve the character and quality of the area.

Comments have been received from a number of local residents to the effect that the demolition of one dwelling and the construction of three would constitute overdevelopment of the land. In response, the proposal would result in a density of 47.6 dwellings per hectare (based on three dwellings on a plot of 0.0063ha. This would not be out of keeping with the existing density range for terraced properties in the immediate area:

Address	No. of Dwellings	Dwellings per Hectare
19-23 Tring Road	3	68 dwellings/HA
25 – 49 Tring Road	22	104 dwelling/HA
36-38a Tring Road	4	57 dwellings/HA

The width of the plot which would house the new terrace (comprising 3 dwellings) would be substantially wider than the plots containing nos. 19 - 23 Tring Road.

Whilst it is true that nos. 15 and 13 Tring Road occupy large, spacious plots and are at a considerably lower density than the surrounding development (20 dwellings/HA and 16 dwellings/HA, respectively), these are detached dwellings and not directly comparable to a terrace.

As such, the proposed development complies with Policy CS11 of the Core Strategy which states that development should respect the typical density in an area.

The current layout is the culmination of discussions with the applicant and his agent and represents a considerable improvement upon the original scheme. In particular, the amount of hardstanding to the front of the dwellings has been substantially decreased as this was considered to be at odds with the prevailing character of the area, where properties have little or no parking to the front.

The fact that the provision of an expansive parking area necessitated the main building line being set 5.3 metres further back than the existing arrangement was considered to be less than satisfactory, for it would introduce a degree of visual intrusion to numbers 19, 21 and 23 Tring Road and have a greater impact on number 15 than necessary. Furthermore, this part of the conservation area is especially sensitive given its verdant character. The grass verge running from the junction of Sandbrook Lane and Tring road (outside no. 23) up to the junction of The Mill and Tring Road (outside no. 13) and, to a degree, the garden of no. 15 itself, provides a welcomed green buffer and some visual relief. As such, the Council's advice to the applicant and his agent was very clear: there needs to be a reduction in the level of hard surfacing, minimal impact on the grass verge and building line closer to that of the nearby terrace.

To address these concerns the following alterations were made:

- Reduction in parking area from 6 No. spaces to 4 No. spaces.
- Building line brought forwards by 3.2m.
- Improved areas of landscaping to the front, allowing for the provision of a private footpath to each property.
- Existing crossover to be reinstated with a shingle crate grid system (gopla or similar).

In design terms the dwellings are considered to be of an acceptable design and appearance and would respect the architectural style prevalent in the area.

The following materials have been proposed to be used in the construction:

Proposed Materials	
External Walls	Red Multi Bricks with Red Voussoirs
Roofs	Natural Slate
Windows	White timber sash windows to front
Windows	White timber casement windows to rear
Front Door	Timber painted
Bi-Fold Doors	White timber or aluminium

These materials are considered to be acceptable. Should planning permission be granted, a condition will be included requiring the use of the materials specified above.

With the exception of the front porch overhangs, the Conservation Officer has no concerns with regard to the impact the development would have on the Wilstone Conservation Area.

Landscaping and Amenity Space

Saved Appendix 3 of the Dacorum Local Plan requires new development to provide private open space, with private gardens normally being positioned to the rear of the dwelling and having a minimum depth of 11.5 metres.

For infill developments garden depths which are below 11.5 metres but of equal depth to adjoining properties will be acceptable.

The dwellings would comfortably meet the minimum requirement.

Impact on Surrounding Properties and Occupiers

The site is surrounded by residential properties and, consequently, there is the potential for overlooking of adjoining properties, visual intrusion and loss of sunlight and daylight.

Light and Visual Intrusion

Saved Appendix 3 of the Dacorum Borough Local Plan states that residential development should be designed and positioned in such a way that a satisfactory level of sunlight and daylight is maintained for existing and proposed dwellings. Significant overshadowing should be avoided (see the Building Research Establishment's report 'Site Layout Planning for Daylight and Sunlight'). Policy CS12 of the Core Strategy compliments this and requires development to avoid visual intrusion, loss of sunlight and daylight to the surrounding properties.

No. 15 Tring Road has four windows in the flank wall facing towards the application site (a north westerly direction).

The front-most window is a secondary window serving a reception room – the primary window

consists of a bay on the front elevation. The second window from the front serves a hallway (a non habitable room), and the two rear-most windows (also secondary) serve a living room.

The dwellings have been designed in such a way that the rear-most 2.7 metres would take the form of a single storey extension with a mono-pitched roof form. This section of the buildings would have a maximum height of 3.25 metres and an eaves height of 2.20 metres. The extension would have a side-to-side relationship with no. 15 and be located approximately 5.25 metres away. The two rear-most windows on the flank wall of no. 15 would be unaffected, and while it is acknowledged that, in the case of the two forward-most windows, built development would be introduced into an area where there was previously none, a number of factors would limit the impact:

- The front-most window is a secondary window serving a reception room and benefits from a forward facing bay window.
- The second window serves a hallway. Since this is a non-habitable room, only very limited weight can be given to the impact on this window.
- The height of the rear section of the building is somewhat limited.
- The application site is located to the north of the windows.

The opposite side of the application site is bounded by no. 19 Tring Road, which benefits from a single-storey rear extension with a steeply pitched slate roof. The effect of the roof pitch is to partially obscure the first floor window on the rear elevation. A 45 degree line drawn from centre of the first floor window has not been demonstrated; however, that the window is already obscured is a material consideration which needs to be taken into account. The new development would breach a 45 degree line drawn from the centre of the windows serving no. 19's kitchen (at ground floor level). Therefore, at the request of the case officer the applicant commissioned a surveyor (Adrian Cowell BSc (Est Man) FRICS) to carry out an assessment of the impact the proposed development would have on daylight / sunlight. His findings are outlined below:

With regard to the BRE Guide for Good Practice Site Layout Planning for daylight and sunlight please note the following information based upon the three-dwelling proposal.

The proposed development does not interfere with the main rear face of No 19 which faces south west.

The vertical sky component is not affected.

I presume that there will be no main window wall facing over the boundary. The two windows in the North west side elevation will presumably be obscured glazed.

There are no side windows in No 19 which would be affected by the development.

Thus there should be no direct effect in accordance with the BRE guidelines.

There will be overshadowing. The guide recommends that No 19 should receive at least one quarter of annual probable sunlight hours. The expected loss will be much less than this.

In summary there will be a small loss of light through the window above the kitchen sink but sufficient sky factor and sunlight will continue to illuminate the kitchen

Through the fully glazed external door and the lantern light, both of which have been installed within the last 20 years.

I trust this is helpful.

Yours sincerely Adrian Cowell BSc (Est Man) FRICS

Concern has been raised by no. 19 Tring Road that the development would result in visual intrusion. The proposal would result in an increase in built development on the site, which would be in closer proximity to no. 19 than is currently the case. In particular, the rear elevation would be set 4.25 metres further back in the plot, and the flank wall would be 4.35 metres closer to the boundary with no. 19. However, the rear-most 2.70 metres of the terrace would be of single-storey construction with a low eaves height of 2.20 metres. This would help to mitigate the visual impact of the development. Furthermore, it is noted that the outlook to the north-west is relatively open – with views across the rear gardens of nos. 21-23 Tring Road. This open aspect avoids a “tunnel effect” that would be detrimental to the outlook from no. 19’s kitchen window.

To conclude, although there would undoubtedly be an impact, the comments from Adrian Cowell demonstrate that there would not be a significant impact on daylight / sunlight entering the kitchen, and in terms of visual intrusion, this would be mitigated by the single storey nature of the rear-most 2.70 metres of the terrace and the open outlook across the gardens of nos. 21 – 23 Tring Road.

Overlooking and Loss of Privacy

Saved Appendix 3 of the Dacorum Local Plan (2004) states that residential development should be designed and laid out so that the privacy of existing and new residents is achieved, whilst Policy CS12 states that development should avoid loss of privacy and disturbance to the surrounding properties.

There would be no significant increase in overlooking as a result of the development.

Two windows are shown on the south-eastern and north-western elevational drawings, positioned at ground and first floor level. The windows at ground floor level would not result in any overlooking as there would be a boundary treatment surrounding the site. The windows at first floor level would serve a bathroom and be obscured. This is annotated on the relevant floorplans.

Owing to its position within the plot, privacy to the garden of no. 19 Tring Road would, in fact, be increased, with views from first floor level limited to the far end of the garden.

There would be a marginal increase in overlooking to the garden of no. 15 Tring Road, although some mutual overlooking is not an unexpected situation. Importantly, views of the sitting out area immediately to the rear of the dwelling would not be possible as a result of the very oblique angle.

No. 15 has also raised concerns over the proximity of the proposed patio areas to their lounge windows and that this would result in the loss of their right to the peaceful enjoyment of their possessions, as stated under Protocol 1, Article 1 of the Human Rights Act; and, under Article 8, their right to for a private family life. These points have been taken into account in the assessment of this planning application. Firstly, an existing 6 foot fence is in place and is to be retained. From the garden it is only possible to see the high level side facing fanlights serving the lounge windows. In addition, there is nothing to stop someone sitting out in the existing garden in the precise location of the new patios. While no. 15’s right to enjoy their possessions and a quiet family life are not in dispute, it is not considered that the proposal would be of a sufficient scale to prejudice these rights.

Noise Disturbance

The dwellings will be constructed to meet modern buildings regulations standards and therefore

there is unlikely to be significant levels of noise disturbance to the surrounding dwellings. While it is acknowledged that there would inevitably be noise disturbance during construction, as is the case with all building work, this would be of limited duration - i.e. for the period of the construction. Were construction work to take place at unsociable hours, then Environmental Health legislation could potentially be exercised.

Parking

Policy CS9 states that the traffic generated by new development must be compatible with the location, design and capacity of the current and future operation of the road hierarchy, taking into account planned improvements and cumulative effects of incremental development.

Policy CS12 seeks to ensure developments have sufficient parking provision. Paragraph 39 of the NPPF 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. Policy CS8 and saved policies 57 and 58 (and associated Appendix 5) of the Local Plan promote an assessment based upon maximum parking standards. This is not consistent with Policy CS12 and the NPPF and, accordingly, more weight is given to the 'case by case' approach to parking provision prescribed in national policy and CS12

The construction of three 3-bedroom dwellings would give rise to a maximum parking standard of 2.25 spaces per dwelling.

It is acknowledged that many of the dwellings in this part of Wilstone do not benefit from off-road parking, in large part due to the preponderance of terraced properties in close proximity to the highway which precludes the construction of off-road parking. However, unrestricted on-street parking is available in the immediate area and the road is uncharacteristically wide for a settlement of this size.

A site visit was carried out in the evening to determine the level of parking stress in the area at peak times. It was noted that there were spaces outside the application site.

Hertfordshire Highways have confirmed that they do not wish to restrict grant of planning permission subject to the inclusion of a number of conditions and informatives.

A balance needs to be struck between providing a reasonable level of parking and ensuring that the character and appearance of the Wilstone Conservation Area is conserved and enhanced. A larger area of hardstanding would be totally out of character with the area and would fail to preserve and enhance the Wilstone Conservation Area.

The current scheme is considered to simultaneously provide an acceptable level of parking whilst conserving and enhancing the conservation area.

Refuse and Recycling

The Refuse Storage Guidance Note was adopted by Dacorum Borough Council as supplementary planning guidance on 10 February 2015.

The guidance note provides the following guidance and principles:

- Waste storage areas must be sited so that householders do not have to carry refuse more than 30m to the rubbish store.

Guiding principles for residential waste storage/collection:

- Storage should be safe and convenient for householders to use.
- It should be easy for householders to wheel the bins to the boundary of the property for collection and back again (level access).
- Bins need to be collected as close to the boundary as possible.
- Storage should not be visually intrusive in the street scene.
- Storage should be designed to enable the safe and convenient collection of waste.

In the case of the two end of terrace plots, bin storage would be located to the rear. Bin storage for the central plot would be located in an inconspicuous and screened area to the front.

In all respects bin storage provision is considered acceptable.

Trees and Landscaping

CS29 of the Core Strategy states that one new tree should normally be provided per dwelling.

One new tree is proposed for the plot nearest no. 19 and another is proposed for the central plot, thus satisfying this requirement. Three existing trees (one in the front garden and two in the rear garden) of the plot nearest no. 15 are shown as being retained. Landscaping is to be incorporated into the frontage in order to help the development assimilate satisfactorily and retain the verdant feel present in this part of the Wilstone Conservation Area. Should planning permission be approved, a condition will be included requiring the submission of a landscaping scheme.

Response to neighbour comments

Of those matters not addressed elsewhere within this report, the following responses are provided:

- Potential issues with low water pressure

Affinity Water and Thames Water Utilities have been consulted with regard to this application but have not provided any comments. Given that the proposal would result in only two additional dwellings, there is unlikely to be a significant impact on water pressure.

- The new build will lower the value of the adjacent properties.

A loss of property value is not a material planning consideration. The planning system cannot take account of personal loss or gain; rather, it exists for the purpose of the public good.

Community Infrastructure Levy (CIL)

The application is CIL liable if it were to be approved and implemented. Policy CS35 requires all developments to make appropriate contributions towards infrastructure required to support the development. These contributions will normally extend only to the payment of CIL where applicable. The Council's Community Infrastructure Levy (CIL) was adopted in February 2015 and came into force on 1 July 2015. This application is CIL liable.

The Charging Schedule clarifies that the site is in Zone 3 within which a charge of £100 per square metre is applicable to this development. The CIL is calculated on the basis of the net increase in internal floor area. CIL relief is available for affordable housing, charities and Self Builders and may be claimed using the appropriate forms.

Summary and Conclusion

It is considered that the proposed development would represent an improvement to the area and optimise the use of the available land – resulting in a net increase of two dwellings.

As such, the proposal is considered to comply with the National Planning Policy Framework, Policies NP1, CS1, CS4, CS8, CS11, CS12, CS17, CS18, CS27 and is therefore recommended for approval.

RECOMMENDATION –That planning permission be GRANTED 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:**

217 pa.2 101 Rev. A
217 pa.2 102
217 pa.2 103
217 pa.2 104 Rev. A
217 pa2. 105 Rev. A

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

- 3 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.

Reason: In the interests of the visual amenities of the Conservation Area.

- 5 No above ground development shall take place until full details of both hard and soft landscape works shall have been submitted to and approved in writing by the local planning authority. These details shall include:**

- **soft landscape works which shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;**
- **proposed finished levels or contours;**
- **minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc);**
- **retained historic landscape features and proposals for restoration, where relevant.**

The approved landscape works shall be carried out prior to the first occupation of the development hereby permitted.

Reason: To ensure a satisfactory appearance to the development and to safeguard

the visual character of the immediate area.

- 6 **In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of [1 year] from the date of the occupation of the building for its permitted use.**

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998: 1989 Recommendations for Tree Work.

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area.

- 7 **The trees shown for retention on the approved Drawing No. 217 pa2.101 Revision A shall be protected during the whole period of site excavation and construction by the erection and retention of a 1.5 metre high chestnut paling fence on a scaffold framework positioned beneath the outermost part of the branch canopy of the trees.**

Reason: In order to ensure that damage does not occur to the trees during building operations.

- 8 **No demolition/development shall take place/commence until a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:**

- **The programme and methodology of site investigation and recording**
- **The programme for post investigation assessment**
- **Provision to be made for analysis of the site investigation and recording**
- **Provision to be made for publication and dissemination of the analysis and records of the site investigation**
- **Provision to be made for archive deposition of the analysis and records of the site investigation**
- **Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.**

Reason: To ensure that reasonable facilities are made available to record

archaeological evidence in accordance with the NPPF, Policy CS27 of the Dacorum Core Strategy (2013) and saved Policy 188 of the Dacorum Borough Local Plan (1991 - 2011).

9

i) Demolition/development shall take place in accordance with the Written Scheme of Investigation approved under condition (A).

ii) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: To ensure that reasonable facilities are made available to record archaeological evidence in accordance with the NPPF, Policy CS27 of the Dacorum Core Strategy (2013) and saved Policy 188 of the Dacorum Borough Local Plan (1991 - 2011).

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