

4/01574/17/FUL - CONSTRUCTION OF NEW DWELLING CONNECTED TO EXISTING SEMI-DETACHED PROPERTIES. EXTERNAL REFURBISHMENT OF EXISTING TWO PROPERTIES.

3 GROVE FARM COTTAGE, MARSHCROFT LANE, TRING, HP23 5PP.

APPLICANT: Regis Group.

[Case Officer - Amy Harman]

Summary

The application is recommended for approval.

The principle of residential development is considered acceptable in the site's location noting its siting within a town. The proposed layout and development would not have any adverse layout implications, would be acceptable in terms of its appearance and would not detract from the appearance of the street scene.

Additionally the development would not have an adverse impact on the amenity of neighbouring properties. The access and car parking arrangements are satisfactory. The proposal is therefore in accordance with the aims of the National Planning Policy Framework, Policies CS4, CS11 and CS12 of the Dacorum Core Strategy (September 2013), and saved Policies 18, 21 and 120 of the Dacorum Borough Local Plan 1991-2011.

Site Description

The site is occupied by a semi detached pair of mid 20th century dwellings, they are two storeys and constructed in brick with timber cladding at first floor level. The roof tiles are concrete. Bay windows are apparent at ground floor level and chimneys can be seen to the roof.

Proposal

Construction of one new dwelling connected to the existing semi-detached properties. External refurbishment of existing properties.

Planning history

None found

Referral to Committee

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

Policies

National Policy Guidance

National Planning Policy Framework (NPPF)

Adopted Core Strategy

NP1 - Supporting Development
CS1 - Distribution of Development
CS2 - Selection of Development Sites
CS8 - Sustainable Transport
CS9 - Management of Roads
CS10 - Quality of Settlement Design

CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS13 - Quality of Public Realm
CS17 - New Housing
CS27 - Quality of the Historic Environment
CS28 - Renewable Energy
CS29 - Sustainable Design and Construction
CS31 - Water Management

Saved Policies of the Dacorum Borough Local Plan

Policies 13, 18, 21, 58 and 99

Appendices 3 and 5

Supplementary Planning Guidance / Documents

Environmental Guidelines (May 2004)

Water Conservation & Sustainable Drainage (June 2005)

Accessibility Zones for the Application of car Parking Standards (July 2002)

Advice Notes and Appraisals

Sustainable Development Advice Note (March 2011)

Summary of Representations

Tring Town Council

The council recommends refusal of this application on the following grounds: loss of amenity to No. 3 Grove Farm Cottage - using an existing wall as part of the new dwelling and the resulting loss of interior light; procedural failings - inadequate display of planning notices; inaccuracies in the application e.g. the new access; it is understood that a restrictive agricultural covenant applies to the building.

Response to Neighbour Notification

13 letters of consultation were sent out and a site notice was put up by the planning officer on the 2nd August.

1 and 2 Ridge View - Object

2 Ridge View

We live in Ridge View, immediately adjacent to the south west of Grove Farm Cottages, which were built in the 1960's on agricultural land, under an agricultural restricted covenant.

The first general point is that the PA is inconsistent and misleading for the following reasons:

- The PA states in para 6, 'Pedestrian and Vehicle Access, Roads and Rights of Way', that in answer to the question, 'Do the proposals require any diversions/extinguishment's and/or creation of rights of way?' the response is 'No'. Whereas, the Plans and Drawings clearly show access is required from Ridge View to the rear of the proposed development for parking, and at least two trees will need to be removed.
- If there is intent to access the rear of the development from Ridge View, this needs to be made clear as there are implications of gaining access to the rear of the property from Ridge

View, which is a privately owned road.

We welcome the refurbishment of the current properties, and do not object to an additional property in principle. However, on the assumption that the Plans and Drawings are correct, we are writing to object to the above Planning Application on the following grounds:

- The width of Ridge View is 4 metres and constrains the access to the parking spaces to the rear of the proposed new property, creating several practical and safety issues:
 - Vehicles would need to reverse in or out of the proposed parking spaces and would have to manoeuvre to gain a clear entry and exit. This will create a safety concern, especially as children play in this area and families use Ridge View to access the rear of the houses in Marshcroft Lane
 - The location of the parking spaces at the rear of the proposed new property will also attract additional off road parking along Ridge View from second cars and visitors. This will have an adverse impact on the properties on Ridge View and restrict all personal, service and emergency vehicular access
 - There are only four car parking spaces allocated to the three properties and it seems that the central property does not have any car parking spaces allocated. This will force the occupants of the central property and their visitors to park their cars on Marshcroft Lane or Ridge View. This will have an adverse impact on Ridge View and Marshcroft Lane, further increasing congestion and preventing personal, service and emergency vehicular access.

Due to these serious concerns, we would ask that Dacorum Borough Council reject this application.

1 Ridge View, Marshcroft Lane

Thank you for your letter regarding the proposal to build a new house connected to Grove Farm Cottages in Marshcroft Lane Tring.

The plan shows an intention is to remove two trees and put in access to car parking behind the new house from Ridge View.

My wife and I live at 1 Ridge View, Marshcroft Lane. Our title deeds shown that we own Ridge View and that there is a right of access for our neighbours in Ridge View (at number 2 and number 3) and for the existing cottages in Marshcroft Lane which have garages and parking bays accessible from Ridge View. These cottages were constructed by the same developer and at the same time as our house.

We don't believe this right of access extends to the proposed new build and would not agree to it.

Please can you advise us of the position? Can the developer insist on access from our road and cut down our trees?

Housing Development Officer

Due to the nature of the proposal below, the site will be exempt from any affordable housing contribution.

Herts Property Services

No comments to make in relation to financial contributions required by the Toolkit, as this development is situated within Dacorum's CIL Zone 1 and does not fall within any of the CIL Reg123 exclusions. Notwithstanding this, we reserve the right to seek Community Infrastructure Levy contributions towards the provision of infrastructure as outlined in your R123 List through the appropriate channels.

Hertfordshire Highways

Comments to follow

Considerations

The main issues of relevance to the consideration of this application relate to the policy and principle justification for the proposed dwelling, the impact of the proposed development on the site layout, the appearance of the building and street scene, the impact on neighbouring properties, and the impact on car parking.

Policy and Principle

The NPPF states that housing applications should be considered in the context of the presumption of sustainable development. Similarly, Policy CS4 of the Core Strategy directs residential development to the towns, including Tring and within established residential areas, where the application site is located. Policy CS17 seeks to promote residential development to address a need for additional housing within the Borough.

Specifically, the provision of new dwellings is supported in principle by Policy CS18 of the Core Strategy, and saved Policy 18 of the Local Plan.

Appearance of building and impact on street scene

The site is occupied by a semi detached pair of mid 20th century dwellings. These are of 2 storeys and constructed in brick with timber cladding at first floor level. The roof tiles are concrete. Bay windows are apparent at ground floor level and chimneys can be seen to the roof. They do not make a particularly positive contribution to the character of the area.

The proposals would provide an enhancement to the appearance of the buildings. They are currently somewhat tired and do not sit particularly comfortably within the local area. In particular given the fine late 19th/ early 20th century buildings opposite. The proposals would enhance the appearance of the existing and the addition of an extra cottage to form a terrace would not detract from the character of the area. The cladding of the elevations in timber and the creation of a pitched porch element to the façade would be welcomed. The redesign of the fenestration to have a stronger vertical emphasis would be most welcome and introduce a more traditional appearance to the building. The proposed design for the bay windows would also be acceptable.

Amendments were made to the scheme to retain the existing chimney stacks on the building and add an additional stack to the new building. In addition a more sympathetic roof tile was proposed to help the building tie in with the character of the local area. The existing concrete tiles are somewhat detrimental and therefore these amended tiles preserve the character of the street scene.

Impact on Neighbours

The new house is located to the west of 3 Grove Farm Cottages and is an infill plot adjacent to Ridge View. The original proposals showed a new access to the rear of the new dwelling to provide parking but this aspect of the proposal has since been removed due to the objections

from the residents of Ridge View. The trees which abut the site and Ridge View are shown on the site plan as being retained.

The property at 42 Marshcroft Lane has no windows on the flank elevation facing the proposal. The new dwelling does not breach the 45 degree line taken from the rear habitable windows.

The windows on the first floor of the north east elevation effectively replace the existing windows of number 3 Grove Farm Cottages and therefore it is not considered that there is any additional potential for overlooking.

The properties at 6 and 7 Marshcroft Lane are situated on the opposite side of Marshcroft Lane, Saved Appendix 3 of the Local Plan does not suggest a front-to-front distance that might apply to dwellings on the opposite side of Marshcroft Lane relative to the proposed dwelling. The development would have the same street setback as the adjacent existing dwellings and on this basis it is not considered that there would be unreasonable overlooking between the application site and dwellings opposite.

Tring Town council have objected on the basis that the existing property at 3 Marshcroft Lane would suffer a loss of light. However the existing property has windows at the front and rear and therefore this is considered to provide sufficient light for a typical three bed terraced property configuration.

Adequacy of Amenity Space

The subdivision of the site into three plots would result in a smaller width rear garden for each property. The new dwellings would have a rear garden of minimum 11.5 metres deep and therefore in accordance with the requirements detailed in Appendix 3 of the Local Plan.

The application is therefore considered acceptable in these terms.

Impact on Trees and Landscaping

No effect - trees are shown to be retained

Impact on access and car parking

The proposals include the provision of one additional cross over and the provision of four car parking spaces for the three 3 bed dwellings. The existing houses retain one car parking space each and the new dwelling has two car parking spaces. There is no restriction to on-street parking in the immediate vicinity and therefore this is considered sufficient in accordance with the maximum set out in Appendix 5 of the Dacorum Local Plan in order to ensure that the proposals would not lead to a detrimental impact on existing levels of on-street car parking.

Community Infrastructure Levy (CIL)

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 the 1st July 2015. This application is CIL 2 Liable which equates to £150 per square metre (84 square metres) £12,600.

Other considerations

There were concerns that the existing two cottages were built on agricultural land under a restricted agricultural covenant. However there is no planning history on record which places

any restrictions on the site. Any legal covenants associated with the land are not a material planning consideration.

The agent has confirmed that there is no record of an agricultural tie.

Conclusion

The proposed new dwelling would be an appropriate form of development in this location, the proposal would not result in detrimental impact to the visual amenity of the surrounding area or have an undue impact upon the residential amenity of the neighbouring residents. The proposed development therefore complies with the National Planning Policy Framework (2012), policies CS8, CS10, CS11, CS12 and CS26 of the Core Strategy (2013) and saved policies 13, 18, 21, 58 and 99 and appendices 3, 5 and 7 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 not be occupied until the arrangements for vehicle parking shown on Drawing No. Proposed Site Plan 2446 04 D shall have been provided, and they shall not be used thereafter otherwise than for the purposes approved.**

Reason: To ensure the adequate and satisfactory provision of off-street vehicle parking facilities in accordance with Adopted Core Strategy CS12

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

Proposed Site Plan 2446 04 D
Proposed Perspectives 06
2446 06 C
2446 05

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

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.