

<b>4/02084/17/FHA</b>	<b>Replace Existing Garage and Summer House with Outbuilding to Provide Non-Habitable Annex with Garage and Non Commercial Art Studio</b>
<b>Site Address</b>	<b>32 Stocks Road, Aldbury, Tring, HP23 5RU</b>
<b>Applicant</b>	<b>Mr &amp; Mrs E Baumard</b>
<b>Case Officer</b>	<b>Nigel Gibbs</b>
<b>Referral to Committee</b>	<b>Due to the contrary view of Aldbury Parish Council and Councillor Stan Mills</b>

## **1. Recommendation**

1.1 That planning permission be **GRANTED**.

## **2. Summary**

2.1 The proposal will replace an existing summerhouse and garage providing a non-habitable outbuilding to serve no. 32. There are no objections in principle to this domestic ancillary outbuilding. The design would be compatible with the Conservation Area and the Chilterns Area of Outstanding Natural Beauty. There would be no harm to the residential amenity of the locality arising from its domestic non-residential use, with due weight to the relationship with the existing communal garden layout and the position of the adjoining dwellings. There are no other planning objections.

2.2 The development would accord with Policies CS7, CS12, CS24 and CS27 of Dacorum Core Strategy.

## **3. Site Description**

3.1 No. 32 forms part of a terrace of 2 two storey 200 year old cottages (nos. 22 to 36 even) located parallel with but substantially set back from Stocks Road. The dwellings feature elongated front gardens with frontage hedging. Nos 32, 34 and 36 feature a large communal type rear garden. These units are served by a roadway/ combined with a public footpath/ bridleway linking Stocks Road with a rear parking and bin storage area. No. 32 is served by a garage and parking space. The roadway also serves other more modern dwellings in the immediate area.

## **4. Proposal**

4.1 This is for a single storey slate gable roof timber clad truncated 'L' shaped outbuilding to replace the existing garage and summerhouse located on part of their respective footprints. It would provide a garage and non-commercial art studio, with an associated toilet and boot room. The building would measure about 13.2m in length and 3.6m depth for the main part, with 'L' shape end / 'tail' about 5.6m. Its ridge level would be 3.3m with the roof featuring three conservation type rooflights.

4.2 There are two flank wall windows serving the garage and boot room respectively facing into the communal garden.

4.3 There is no proposed residential use, with building available for other domestic purposes. The Applicant has proposed a Unilateral Undertaking which would ensure

that in perpetuity that the building is not used for residential purposes and converted into a separate self-contained residential unit.

The Original Scheme has been superseded by the Revised Scheme, involving several design changes :

- All ground work will comply with BS 5837 2012. Trees in Relation to Design, Demolition & Construction. This will comprise of screw piling with suspended reinforced concrete slab & will include the protection procedures required to preserve and protect the adjacent mature beech tree during the course of the works.
- Removal of the roof window over boot room on the west elevation, following the request by Conservation & Design.
- Reduction in the building in height by 150mm by reducing the level of the slab. As there was no tree roots whatsoever found in the excavated layer suggesting the beech tree's root system lays below the excavation depth. Under these circumstances it is feasible to lower the suspended reinforced concrete slab by 150mm with a resultant lower floor level.

## **5. Relevant Planning History**

None.

## **6. Policies**

### 6.1 National Policy Guidance

National Planning Policy Framework (NPPF)  
National Planning Policy Guidance (NPPG)

### 6.2 Adopted Core Strategy

NP1, CS1, CS7, CS8, CS9, CS10, CS11, CS12, CS24, CS25, CS26, CS27, CS29 and CS32

### 6.3 Saved Policies of the Dacorum Borough Local Plan

Various

Appendices 3, 5, and 8

### 6.4 Supplementary Planning Guidance / Documents

- Environmental Guidelines (May 2004)
- Water Conservation & Sustainable Drainage (June 2005)
- Energy Efficiency & Conservation (June 2006)
- Landscape Character Assessment (May 2004)
- Chilterns Buildings Design Guide (Feb 2013)
- Planning Obligations (April 2011)

## 6.5 Advice Notes and Appraisals

- Sustainable Development Advice Note (March 2011)
- Conservation Area Character Appraisal for Aldbury

## 7. **Constraints**

- Rural Area
- Small Village
- Conservation Area
- Chilterns Area of Outstanding Natural Beauty
- Area of Archaeological Importance
- Former Land Use
- Air Limits, including the Halton Black Zone

## 8. **Representations**

### Consultation responses

8.1 These are reproduced in full at Appendix A.

### Neighbour notification/site notice responses

8.2 These are reproduced in full at Appendix B.

## 9. **Considerations**

### Main issues

9.1 The main issues to consider are:

- Policy and principle.
- Compatibility with the historic environment and landscape.
- Impact upon the residential amenity of the immediate locality.
- Access implications.

### Policy and Principle

9.2 Under Dacorum Core Strategy Policy CS7 (Rural Area) small scale development will be permitted for the replacement of existing buildings for the same use. This is provided that:

(i) It has no significant impact on the character and appearance of the countryside;  
and

(ii) It supports the rural economy and maintenance of the wider countryside.

Although larger than the existing buildings the proposal is to replace the garage and summerhouse. As explained below the proposal will accord with criterion (i) and

criterion (11) is not considered to be directly relevant. Therefore the proposal is acceptable in principle.

9.3 For absolute clarification what is before the LPA is a garage and gym/ studio and not a separate dwelling or residential accommodation.

#### Effect upon Residential Amenity

9.4 This is with reference to the expectations of Dacorum Core Strategy Policies CS12 and CS32, Appendix 3 of the Dacorum Local Plan and the NPPF regarding residential amenity.

9.5 Domestic outbuildings have been ubiquitously associated with residential gardens, as longstanding recognised through 'standard Class E development' under the General Permitted Development Order and its predecessors. This is clearly reflected by the existing garage and summerhouse. These can include garages and hobby rooms.

9.6 In this respect in terms of assessing residential amenity the principle of an outbuilding within a garden should be straightforward.

9.7 What is however fundamentally materially different in this case to the usual domestic garden situation is the presence of a communal garden, shared by nos 32, 34 and 36, without the 'standard' subdivision into distinct separate areas with boundaries defined by fences, walls and hedges an array of outbuildings. On this basis there is not the level of privacy available that is normally apparent.

9.8 The building's main window faces towards the communal garden, but is closest to no. 32, reinforcing the position of the existing summerhouse. With regard to the other openings a condition is recommended requiring the two flank wall windows facing into the other part of the communal garden to be high level and fitted with obscure glass.

9.9 Given these circumstances and the building's ancillary non-residential/non-commercial use there would not be a case to refuse the application based upon the detrimental effect upon the residential amenity of nos. 34 or 36. This takes into account the issue of noise/ disturbance that the development is for domestic/ non-commercial garage.

9.10 There would not be a case to substantiate harm to the residential amenity of other dwellings in the terrace or the more modern nearby dwellings.

#### Impact on Street Scene / Conservation Area / AONB

9.11 There has been extensive specialist input by the Conservation Team.

9.12 It is fully acknowledged that the building is larger than the existing. However it is a high quality design with the use of materials to appropriate and compatible with its heritage/ AONB environment. The proposal will accord with Policies CS24 and CS27.

#### Impact on Trees and Landscaping

9.13 Notwithstanding the initial response by the Trees & Woodlands Officer , the scheme has been modified as explained by the Agent:

'Further to discussions with...Landscape & Trees, all ground work will comply with BS 5837 2012 Trees in Relation to Design, Demolition & Construction. This will comprise of screw piling with suspended reinforced concrete slab & will include the protection procedures required to preserve and protect the adjacent mature beech tree during the course of the works'.

#### Impact on Highway Safety

9.14 Hertfordshire County Council Highways has raised no objections. This would have taken into account the existing access road to the site and that the building is not to be used for residential purposes. Any use for residential purposes would otherwise require the separate consideration by Hertfordshire Fire & Rescue Service, given the use, the suitability of the roadway (width, method of construction) and the availability of fire hydrants.

#### Other Material Planning Considerations

9.15 There are no apparent ecological, crime prevention/ security, drainage, contamination, archaeological or exterior lighting objections, subject to, where necessary the imposition of conditions. This overview takes into account the site conditions and responses from the technical consultees set against the relevant policies.

#### Response to Neighbour comments

9.16 These points have been addressed above.

#### CIL

9.17 A contribution is not required.

#### S106 and Planning Obligations

9.18 A unilateral undertaking would ensure that the outbuilding is only used for the proposed domestic purposes incidental to the enjoyment of the existing dwelling house and not used for ancillary residential purposes or a separate residential unit at any time in the future. This takes into account that even with the potential future relaxation of planning controls - as evidenced in recent years through the NPPF and changes to the General Permitted Development Order (eg: to enable the 'automatic re use of buildings to alternative uses such as residential), the UU would prevent this.

### **10. Conclusions**

10.1 At the outset the Applicant's Agent sought the Council's pre application advice. A range of technical consultations were carried out. The outcome was that there was no fundamental objection in principle to an outbuilding with particular importance given to the Conservation & Design Team's advice. The Agent/ Applicant also advised that there had been liaison with the neighbours.

10.2 The consideration of the application is set against the Parish Council's objections to the Initial Scheme which is reinforced by the response to the Revised Scheme.

There is now a wide range of neighbour objections to the Revised Scheme- unlike the 'neighbour free response to the Initial Scheme and Councillor Stan Mills' representation.

10.3 It is concluded that this domestic outbuilding can be successfully accommodated within this sensitive environment. This is on the basis of the imposition of necessary conditions and through a Unilateral Undertaking that the building is not used for residential purposes in perpetuity.

## **RECOMMENDATIONS**

That determination of the application be **DELEGATED** to the Group Manager Development Management and Planning with a view to approval, subject to the completion of a planning obligation under s.106 of the Town and Country Planning Act 1990.

2. That the following Heads of Terms for the planning obligation, or such other terms as the Committee may determine, be agreed:

- The building shall only be used for a non- commercial / domestic hobby room / study/ art studio and domestic garage incidental to the enjoyment of the existing dwellinghouse.
- The building shall at no time be used for any residential purposes.
- No planning application shall be submitted to convert / adapt the building to a self-contained residential unit.

And subject to 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 building hereby permitted shall be constructed with a natural slate roof, with all walls and doors of dark stained timber , all the roof lights shall be of 'conservation type' with the gutters and rainwater downpipes comprising of zinc or black painted aluminium.**

Reason: In the interests of the character and appearance of the Rural Area, Conservation Area and Chilterns Area of Outstanding Natural Beauty in accordance with Policies CS11, CS12 , CS24 CS25 and CS27 of Dacorum Core Strategy.

- 3 **Notwithstanding the details shown by the submitted drawings the two flank wall windows serving the garage and boot room shall be high level and fitted with obscure glass at all times. Before the commencement of the development hereby permitted details of these alternative windows shall be submitted to and approved in writing by the local planning**

**authority and before first use of any part of the building the approved windows shall be installed fully in accordance with these approved details and thereafter retained at all times. The garage shall not be used for any commercial repair purposes or a hobby workshop.**

Reason: In the interests of the residential amenity of nos. 34 and 36 Stocks Road in accordance with Policy CS12 of Dacorum Core Strategy.

- 4 The garage hereby permitted shall not be used for any commercial repair purposes or a hobby workshop.**

Reason: In the interests of the residential amenity of nos. 34 and 36 Stocks Road in accordance with Policy CS12 of Dacorum Core Strategy.

- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending or re-enacting that Order with or without modification) there shall be no external changes to the building hereby permitted.**

Reason To enable the local planning authority to retain control over the development in the interests of safeguarding the residential amenity of the locality and the appearance of the building in the locality in accordance with Policies CS11, CS12 , CS24 CS25 and CS27 of Dacorum Core Strategy.

- 6 Any exterior lighting serving the development hereby permitted be shall installed and thereafter retained and maintained fully in accordance with details submitted to and approved in writing by the local planning authority.**

Reason: To safeguard the local environment in accordance with accord with the requirements of Policies CS12, CS24, CS25, CS27, CS29 and CS32 of the Dacorum Core Strategy and Policy 113 and Appendix 8 of the saved Dacorum Borough Local Plan.

- 7 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 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.**

- **Any demolition/development shall take place in accordance with the Written Scheme of Investigation approved under Condition 7.**

Reason: To ensure that reasonable facilities are made available to record archaeological evidence and to accord with Policy CS27 of Dacorum Core Strategy.

**8 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 10 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 and to accord with Policy CS27 of Dacorum Core Strategy.

- 9 **Subject to the requirements of other conditions of this planning permission the development hereby permitted shall be carried out in accordance with the following plans:**

**EX97-01 REV A  
EX97-02 REV A  
PL97-01 REV A  
PL97-02 REV A  
PL97-03 REV A  
PL97-04 REV A  
PL97-05 REV A  
L97-01  
PH97-0**

Reason: To safeguard and maintain the strategic policies of the local planning authority and for the avoidance of doubt.

NOTE 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 lead 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.

**Informatives**

Bats



UK and European Legislation makes it illegal to:

Deliberately kill, injure or capture bats;  
Recklessly disturb bats;  
Damage, destroy or obstruct access to bat roosts (whether or not bats are present).

*Contacts:*

English Nature                      01206 796666  
UK Bat Helpline                      0845 1300 228 ([www.bats.org.uk](http://www.bats.org.uk))  
Herts & Middlesex Bat Group      01992 581442

Detailed advice can be provided by Hertfordshire Ecology ,Environmental Resource Planning,Hertfordshire County Council (Postal Point EMG CHN109),County Hall, Pegs Lane, Hertford, SG13 8DN  
[ecology@hertfordshire.gov.uk](mailto:ecology@hertfordshire.gov.uk)

Contamination

A watching brief should be kept during ground works on the site for any potentially contaminated material. Should any such material be encountered, then the Council must be informed without delay, advised of the situation and an appropriate course of action agreed. This takes into account the original approach to contamination in the consideration of residential development at the site .

## **Appendix A**

### **Consultation responses**

#### Aldbury Parish Council

- Original Scheme

Aldbury Parish Council discussed this application at their recent Council meeting. They would like to OBJECT to the application.

Concerns were expressed about the height and additional footprint of the proposed building. It was also noted that the description of the work (non-habitable annex with garage and non-commercial art studio), doesn't accurately reflect the nature of the plans which show a gym and a washroom and suggest that the building will be 'habitable'. The Council have asked me to mention that the neighbours of the property don't appear to have been consulted.

In summary, the Council OBJECT to the application on the grounds of its size, inappropriateness in a conservation area and because the application isn't a true

reflection of what is being proposed.

- Revised Scheme

Aldbury Parish Council discussed this application at their meeting on Monday. They want to Object to the application for the same reasons as previously namely - Concerns were expressed by both Councillors and the neighbours about the height and additional footprint of the proposed building. It was also noted that the description of the work didn't accurately reflect the exact nature of the plans which included a washroom and gym. The Council agreed to OBJECT to the application on the grounds of its size, inappropriateness in a conservation area and because the application isn't a true reflection of what is being proposed.

The Council don't feel that the amended plans have really addressed these concerns. Please also could you check which neighbours have been consulted – a neighbour from 36 Stocks Road said she hadn't been formerly consulted and yet the proposed structure would be right at the end of her garden.

#### Councillor Stan Mills

- Original Scheme

No response.

- Revised Scheme

1. As Ward Councillor if you are minded to grant the above Planning Application I request it comes to Committee to enable local residents to have the opportunity of stating their views.

I understand that the Parish Council will be recommending refusal.

2. Another Comparable Site: 4/02411/03/FUL and 4/01919/16/FUL. Officers' commitment in 2004 that no future development should be permitted on this site, was overruled on the grounds that the original ruling had no place in the current scheme of things and that the Officer had no right to make a statement such as this in the first place. This refusal to stand by the commitment is wholly wrong. Therefore, if the approach to this application confirms that it not be used or developed into a dwelling in the future then I am afraid it will not be taken seriously as it could suffer the same fate as the in 2004.

#### Conservation & Design

- Original Scheme

It is noted that there was a pre-application scheme relevant to the current application for a new garage / gym building to the rear of 32 Stocks Rd. 32 Stocks Road is part of a terrace, the terrace is considered to make a positive contribution to the character of the conservation area and is of 'local architectural interest'. The frontage of the site (possible former orchard) is considered to be of significance.

Conservation and Design were supportive of the principle of replacing the existing

garage / summerhouse with a new structure of a comparable scale to that now proposed. In terms of design the proposed new building is similar to that shown at the pre-application stage.

It is questioned whether a roof light is required as well as a window for the boot room – could the roof light be omitted.

The proposed materials include slate for the roof, horizontal stained weatherboard for the walls, zinc guttering all seem acceptable.

Note: Pre Application Advice

The site is located within the village of Aldbury. This is a quintessential village with green, pond, wide selection of vernacular buildings dating from the middle ages to the present day. The building appears to date to the Napoleonic period is part of a terrace of brick buildings which are 2 storey with a slate roof and chimney stacks. There are two single storey outbuildings to the side of the main body which are single storey. This terrace has been identified in the conservation area appraisal as a building of local interest. The large area to the front is an important part of the character of the conservation area and this is noted within the appraisal. It would appear in the 19<sup>th</sup> century to have had some use as an orchard.

The application falls into two parts the proposals to the rear and those to the street frontage. To the rear the character of the conservation area has been impacted through modern housing development. There is also a substantial timber garage structure to the neighbouring property. Therefore given the surrounding context we believe that the demolition of the existing garage and construction of the proposed garage/ gym would have a relatively low impact on the character of the conservation area. Therefore if the design details, low height, materials and perhaps planting are in keeping with the character of the conservation area then C & D would not object to the proposals. It would be recommended that the boarding be horizontal weatherboarding either painted or stained to better reflect the vernacular traditions of the area and that the finish to the roof be of a natural slate. Any rooflights should be flush and not stand proud of the roof structure. Rainwater goods should be pressed aluminium or similar. It would be recommended that all PD rights are removed from this structure and that it be tied to the main dwelling.

The second aspect is the proposed garage / caravan to the front garden. C & D would strongly object to any proposal for further buildings in this important open space. This is an important feature within the character of the conservation area highlighted within the conservation area appraisal document. The proposed development would cause harm to the significance of the conservation area. C & D would rate this harm at high on the less than substantial scale of harm. Therefore this would need to be weighed against the balancing exercise outlined in the framework with regards to public benefits. C & D cannot envisage public benefit in particular as it would appear possible to develop to the rear for garaging. It would therefore be recommended that this aspect of the scheme be avoided and not submitted for consent.

Recommendation . Subject to the use of appropriate materials and detailing the proposed garage/ gym to the rear would be acceptable. The proposals to the front would be most detrimental to the character of the conservation area and could not be

supported.

- Revised Scheme

It has been noted that there has been a change to the design by the omission of the rooflight.

#### Trees & Woodlands

- Original Scheme

The only tree that would be affected by the proposed development is a mature beech tree on the edge of the site close to the lane. This tree has considerable amenity value and should be protected from the impact of the development. It has a stem diameter of about 1 metre and has a Root protection Area (RPA) of 12m. The proposed Annex would be 8 m away from the base of this tree, an encroachment on the RPA of 4m. It is recommended that the proposed building is moved back by 4m to avoid encroachment on the RPA. It is also recommended that the RPA is protected during construction by protective fencing in accordance with the British Standard 5837: 2012 Trees in relation to design, demolition and construction Recommendations.

- Revised Scheme

No response.

Note : Pre Application Advice was:

There are trees and shrubs close to the site in question. While not of anything more than immediate local interest they are part of the pleasant garden scene in this part of Aldbury. None are shown to be removed and construction should be straight forward through the parking area without need to have any impact on the adjacent garden areas.

#### Scientific Officer

The site is located within the vicinity of potentially contaminative land uses. There exists the slight possibility that these activities may have affected the application site with potentially contaminated material. Therefore it is recommended that the developer be advised to keep a watching brief during ground works on the site for any potentially contaminated material. Should any such material be encountered, then the Council must be informed without delay, advised of the situation and an appropriate course of action agreed.

#### Hertfordshire Ecology

Due to the nature and scale of the proposals, no ecological surveys are considered necessary in this instance. However, it is recommended that a precautionary approach be taken to vegetation clearance and the removal of the existing buildings and I advise that the following **Directives** be added to any permission granted:

- The removal or severe pruning of trees, shrubs and climbing woody plants should be*

*avoided during the bird breeding season (March to August inclusive [Natural England]) to protect breeding birds, their nests, eggs and young. If this is not practicable, a search of the area should be made no more than 3 days in advance of clearance and if active nests are found, the location should be cordoned off (minimum 5m buffer) until the end of the nesting season or until the birds have left the nest.*

□ *If bats or evidence for them is discovered during the course of any works, work must stop immediately and advice sought on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England: 0300 060 3900.*

## Hertfordshire County Council : Highways

### 1.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.

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 informative notes below

### 2.Informatives

a. 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.

b. 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.

### 3.Comments

The proposal is to Replace Existing Garage And Summer House With Outbuilding To Provide Non-Habitable Annex With Garage And Non Commercial Art Studio.

- Parking

No parking information was included with this application

- Access

No new or altered vehicular or pedestrian access is proposed and no works are required in the highway. The site is accessed from a public bridleway leading from Stocks Lane which is which is an unnumbered "C" classified road.

The applicant should be advised that it is an offence 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, as detailed in the informative note above

- Conclusion

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

#### Hertfordshire County Council : Historic Environment

The proposed development site is in Area of Archaeological Significance No.29, as identified in the Local Plan. This denotes the medieval settlement of Aldbury and also includes evidence of later prehistoric occupation and burial.

The proposed new garage and gym studio are less than 100 metres from the site of a Late Iron Age cemetery. At least six burial groups with grave goods were excavated in 1943, by the pupils of Aldbury School [Historic Environment Record No 4242].

However, the proposed garage and studio, though of larger size, will partly occupy the footprints of the existing garage and summerhouse, which would reduce the potential impact of the scheme upon any archaeological remains present.

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 it is recommended that the following provisions be made, should planning permission be granted :

- 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;
- 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;
- such other provisions necessary to protect the archaeological interests of the site.

These recommendations are both reasonable and necessary to provide properly for the likely archaeological implications of this development proposal. It is further believed 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 three appropriately worded conditions on any planning consent would be sufficient to provide for the level of investigation that this proposal warrants.

Air Authorities  
NATS

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.

If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

#### The Ministry of Defence

No objections.

## **Appendix B**

### **Neighbour notification/site notice responses**

- Original Scheme

None received.

- Revised Scheme

#### Daughter and joint Power of Attorney for the owner of 34 Stocks Road, Aldbury

The writer's brother is joint Power of Attorney and lives at 34 Stocks Road.

The writer's brother does not have concerns about the above plan, as he will not be remaining in the area.

However, the writer does:

- 1) The proposed plan will overlook, and be intrusive to, number 34, which is not currently overlooked.
- 2) The proposed plans are very large.
- 3) The proposed plans are out of character with the location.

#### Odd Spring

- First Response

On October 2nd 2017 OS objected on line to the original scheme but never received confirmation it had arrived.

Why did OS not receive any notification of these plans? OS access road is single width and the four houses, including that serving OS , above this development are very involved with traffic issues and environmental problems, living on a steep hill.

- Second Response

Reference to the previous objection.

### Foxwood

Objection.

The building proposed is far too big for the site and intended usage. The current temporary structures on site are a small garden shed and iron garage. Foxwood was approached by the owners of 32 Stocks Road about their proposed garden building and were told that it would be of a similar footprint and height – instead the footprint of the building has increased and instead of a summerhouse of approximately 2m high, the intended replacement is approximately 3.5m high. This is out of character with the surrounding buildings and excessively sized for the intended usage of non-habitable accommodation.

A revised application has been submitted, but there are no changes to the original plans other than a 15cm reduction in height and the removal of a roof window. There is nothing to suggest this revised building would sit better in the conservation area. The building should be in keeping with the existing buildings in the environs.

The visual impact of the building on both the approach to Foxwood and the house itself would be significant, and would detract from the enjoyment of our home and the open aspect it enjoys.

As well as the impact on the home, it significantly affects the outlook of neighbouring properties, and the overall village character – it is over urbanisation of the immediate locality. The proposed building would also overlook (due to the slope of the terrain) the upper floors of properties adjacent to 32 Stocks Road depriving them of privacy.

The construction of any building on this site that relies on the supply of mains water and drainage will cause significant disruption during the build as there is no utility owned water supply up the adjacent bridle path, the stop-cock for our properties being at the boundary of Stocks Road; this problem has not been addressed. This would prevent vehicle access to all the properties up the bridle path.

### Inglewood House

The application has been brought to Inglewood House's attention by a concerned neighbour.

Utterly opposed to the application.

The main reason why the writers moved to the locality was the charm of the bridlepath,



the open space around, historic Barrack Row with the long gardens all, being part of the ambience.

If people are allowed to fill existing gardens with outbuildings and studios how long will it be before " non habitable 'construction is change to 'habitable'?"

The owners of no.32 do not reside at no. 32 all the time and are proposing unnecessary buildings to block views of full time residents.

If there had been a request for the construction of a replacement garage on the same footprint as the existing there would not have been an objection. However, this is far bigger and an eyesore , limiting views of the countryside and open space.

### Hope Cottage: Initial Response

Hope Cottage is behind Barrack Row, where number 32 Stocks Road is situated.

The Proposed Plan shows that the outbuilding will have a significant impact on HC.

The concerns are:

- When initially contacted by the owner of 32 Stocks Road (many months ago) the impression was that the replacement of the existing garage/shed would be like for like in terms of its footprint. The existing plans are absolutely huge and would totally alter the existing feel of the (privately owned) driveway serving Foxwood and Hope Cottage, including the level of light received.

- HC has not been contacted about the plans as they stand at the moment. It is understood HC is not the only one of the neighbours who has not been contacted about the plans. The orange site notice that is now understood is pinned up in Stocks Road is well out of the way of Hope Cottage. Given how significantly this building would affect Hope Cottage it is questioned that the Council ought to have informed Hope Cottage.

- The "Proposed Plan" document shows very clearly that this structure Hope Cottage:  
Additional Response

The "Supporting Information" document listed on Dacorum's planning application site is totally illegible.

Some relevant measurements: from an assessment of the scale plans submitted, the height of the proposed building at it's tallest point will be 3.3 metres. The height of the top of the ground floor windows from the ground is 2.8 metres - this building will (and is even shown to do so in the plans submitted) completely block out both the light and the view from the ground floor windows on the west facing side of HC. It is worth pointing out that the existing summer house and shed are set well into the ground and below the level of the shared private driveway that provides access for Hope Cottage and

Foxwood; any building of the scale submitted will presumably need foundations laying beneath it and so it will not be built at the same elevation as the existing out buildings but start at a higher level.

### 36 Stocks Road /36 Barrack Row

Overlooking of no. 36. Given the elevation at the end of no. 36's garden, some '80 feet', to the rear of no. 36, the building will overlook the house but in line with the resident's daughter's bedroom. This is unacceptable; it will be intrusive to their privacy and therefore harmful to the value of the property.

The nature of the development is inappropriate. This is in form and in function to the site itself or to adjacent buildings. There would be no objection to the replacement if the garage, but there is no merit in building additional storage or a gym for a house in the same row as c 200 year old buildings as no. 36 already has substantial external storage. Moreover, the dimensions, positioning and design of this substantial structure so close to Barrack Row, which is widely recognised as one of Aldbury's most characterful group of buildings, are wholly inappropriate.

The scale and position of the building is disproportionate. The proposed building is significantly larger; much wider (from no. 36's perspective it will occupy the width of two gardens in the row of houses) as well as much greater height than the disused garage that it will replace. It is feared that the intention here is for the proposed building to eventually become a dwelling and the planning authorities should be mindful of such risk in this case.

The proposal for the replacement of the summerhouse is also inaccurate as the summerhouse is not a permanent building and would not have required planning permission.

The footprint of no. 36 is 43.4 sqm. This is the same as no. 32 where the applicants currently reside. The proposed new structure has a footprint of some 53.2 sqm. It is not understood why such a large structure, which is purported to be an annex, relative to the size of the dwellings nearby, could be judged appropriate in this case.

