

<b>4/03077/18/FHA</b>	<b>PROPOSED CAR PORT</b>
<b>Site Address</b>	<b>KILBRACKEN, HUDNALL COMMON, LITTLE GADDESSEN, BERKHAMSTED, HP4 1QW</b>
<b>Applicant</b>	<b>Mr &amp; Mrs R Johnston, Kilbracken</b>
<b>Case Officer</b>	<b>James Gardner</b>
<b>Referral to Committee</b>	<b>Contrary to the views of Little Gaddesden Parish Council</b>

## **1. Recommendation**

1.1 That planning permission be **GRANTED**

## **2. Summary**

2.1 The car port would not be conspicuous in the street, proportionate in size and would satisfactorily blend in with its surroundings. There would be no adverse impacts on the character and appearance of the of Chilterns Area of Outstanding Natural Beauty (AONB).

## **3. Site Description**

3.1 The application site is located halfway along the eastern side of Hudnall Common, running south from Hudnall Lane and occupies a triangular plot on which a detached two storey dwelling and detached garage are centrally positioned. The site sits on level ground within the open countryside and is bounded on all sides by deciduous hedging.

## **4. Proposal**

4.1 Planning permission is sought for the construction of a timber framed carport measuring approximately 12.15m (W) x 6.50m (D) x 4.3m (H).

## **5. Relevant Planning History**

4/02831/17/FHA

Two-storey and single-storey front extensions and front porch  
Granted - 20/12/17

## **6. Policies**

### **6.1 National Policy Guidance**

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

### **6.2 Adopted Core Strategy**

NP1, CS1, CS2, CS7, CS24

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

Policies 22, 58, 97, 99

## 6.4 Supplementary Planning Guidance / Documents

- Accessibility Zones for the Application of car Parking Standards (July 2002)
- Chilterns Buildings Design Guide (Feb 2013)

## 7. **Constraints**

- Chilterns AONB
- Wildlife Sites
- Rural Area

## 8. **Representations**

### Consultation responses

8.1 These are reproduced in full at Appendix 1

### Neighbour notification/site notice responses

8.2 These are reproduced in full at Appendix 2

## 9. **Considerations**

### Main issues

The main issues to consider are:

- Policy and principle
- Impact on Character and Appearance of Chilterns AONB
- Impact on Street Scene
- Impact on Residential Amenity of Neighbours

### Policy and Principle

9.1 The application site is located within the defined Rural Area wherein, in accordance with Policy CS7 of the Dacorum Core Strategy (2013), small-scale development – including limited extensions to existing buildings - is acceptable subject to compliance with two requirements:

- I. The development 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

9.2 The term “limited extensions” is not defined by Policy CS7 and therefore each case must be judged on its own merits with reference to the individual site context.

9.3 It is, however, important to note that the Core Strategy is now over 5 years old and has been superseded by the revised 2019 National Planning Policy Framework (NPPF). Paragraph 213 of the NPPF states that existing policies should not be considered out-of-date simply because they were adopted or made prior to the

publication of the NPPF. Therefore, due weight should be given to them according to their degree of consistency with the NPPF; the closer the policies in the plan to the policies in the NPPF, the greater the weight they may be given. Whilst the NPPF seeks to limit development with the Green Belt, this is not a constraint of the application site. The policy of limited extensions is therefore not consistent with the approach taken by the NPPF and thus limited weight is given to the word "limited" in Policy CS7; rather, it is considered that the primary consideration is whether the development would result in a substantial impact on the character and appearance of the countryside.

9.4 It is now necessary to assess compliance with the impact assessments found within CS7.

#### Impact on Character and Appearance of Countryside

9.5 Given its limited scale, traditional appearance and location adjacent to natural boundary screening, there would be no significant impacts on the character and appearance of the countryside; rather, it is considered that the impact would be minimal.

#### Rural Economy and Maintenance of Wider Countryside

9.6 The benefits to the rural economy are likely to be limited to the construction phase of the project, when it could reasonably be assumed that local trades persons / builders would be employed. It can also be reasonably assumed that local materials would be used in the construction.

9.7 Paragraph 213 of the NPPF states that '*...existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).*'

9.8 In line with this national guidance, saved Policy 22 of the Dacorum Local Plan has been given limited weight as the NPPF does not seek to put specific limits on the size of extensions to dwellings in rural areas outside of the defined Green Belt. The policy previously required an assessment of the floor space increase above the original building (allowing 50% above the original floor space). However, whilst the size limits found in Policy 22 are no longer relevant, the qualitative requirements remain relevant; namely, criterion (a) to (d):

(a) The extension is compact and well-related to the existing building in terms of design, bulk, scale and materials used

The carport is reasonably compact within the context of the site. Its already limited bulk has been further reduced by use of a hipped roof and catslides. The use of high quality materials, as is proposed, would ensure that it respects the parent dwelling.

(b) The extension is well-designed having regard to the size and shape of the site and retains sufficient space around the building to protect its setting and the character of the countryside

The carport would have a maximum height of approximately 4.3 metres. The use of hipped roof with catslides is considered to minimise any visual impacts. Whilst sited close to the edge of site, it would be well screened by mature landscaping. Despite an increase in built form, the open character of the countryside would be retained.

(c) The extension is not visually intrusive on the skyline or in the context of open character of the countryside

The carport would be of single-storey construction and largely shielded from long distance views by mature landscaping. As such, it would not be visually intrusive on the skyline or in the context of the open countryside.

(d) The extension does not prejudice the retention of any significant trees and hedgerows

The construction of the carport would not result in the loss of any significant trees and hedgerows.

### **Impact on Character and Appearance of Chilterns AONB**

9.9 Saved Policy 97 (*Chilterns Area of Outstanding Natural Beauty*) of the Dacorum Local Plan states that in the Chilterns Area of Outstanding Natural Beauty, the prime planning consideration is the conservation and beauty of the area. Any development proposal which would seriously detract from this should be refused. In terms of new buildings, the following guidelines are to be used in considering planning applications:

- Development must not be intrusive in terms of noise disturbance, light pollution, traffic generation and parking.
- Building, plant and structures must be sympathetically sited and designed, having regard to natural contours, landscape, planting and other buildings; there should be no adverse effect on skyline views.
- Colours and materials used for development must fit in with the traditional character of the area.

9.10 Policy CS24 of the Dacorum Core Strategy seeks to ensure that the special qualities of the Chilterns Area of Outstanding Natural Beauty are conserved.

9.11 The carport would be constructed from a mixture of traditional, high quality materials, including red plain clay tiles and black stained timber weatherboarding over a red-multi brick plinth. It would be of single-storey construction and has been designed to complement the existing house and garage. Catslides have been introduced to the sides and rear of the structure in order to minimise its visual presence. The siting is sympathetic and would make use of existing landscape features - i.e. mature hedging and trees – on the southern boundary. Given its limited height and proximity to natural screening, the structure would not be readily visible from public vantage points; nor would it detrimentally impact skyline views.

9.12 The development proposed is, therefore, considered to accord with saved Policy 97 of the Dacorum Local Plan and Policy CS24 of the Dacorum Core Strategy.

### **Impact on Street Scene**

9.13 Policies CS11 and CS12 of the Core Strategy seek to ensure that new development preserves attractive streetscapes and satisfactorily integrates with the streetscape character.

9.14 As outlined in the section above, the carport would not be prominent within the street scene. Any views would be softened by the surrounding trees. The development is therefore in accordance with Policies CS11 and CS12 of the Core Strategy.

### **Impact on Residential Amenity of Neighbours**

9.15 There would be no adverse effects.

9.16 Policy CS12 of the Dacorum Core Strategy states that development should, amongst other things, avoid visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to surrounding properties.

9.16 Given the degree of separation from the nearest dwelling, the proposal does not give rise to any concerns, thus according with Policy CS12.

### **Other Considerations**

#### **Access / Parking**

9.17 There are no obvious implications for parking and access. The spacious nature of the site, combined with the appropriate siting of the carport, would ensure that there is sufficient space for manoeuvrability.

#### **Impact on Trees and Landscaping**

9.18 The development would necessitate the removal of one tree within the site. However, the tree is in a poor state of health and would be removed whether or not the development were granted. However, given the sylvan character of the area, there would be no harm to the area.

#### **Ecological Impacts**

9.19 Hertfordshire Ecology have not raised any objections to the proposed development and do not require the submission of any ecological surveys.

#### **Community Infrastructure Levy (CIL)**

9.20 This application is not CIL liable due to it resulting in less than 100m<sup>2</sup> of new floorspace.

### **10. Conclusions**

10.1 The proposed carport building would be limited in size within the site context and would be of an appropriate design and scale. As such, the development would accord with saved Policies 22, 58, 97, 99 of the Dacorum Local Plan (2004) and Policies NP1, CS1, CS2, CS7, CS24 of the Dacorum Core Strategy (2013).

**11. RECOMMENDATION** – That planning permission be **GRANTED** for the reasons referred to above and subject to the following conditions:

## Conditions

No	Condition
1	<p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>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.</p>
2	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>
3	<p>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.</p> <p>Reason: To ensure a satisfactory appearance to the development.</p>

## Appendix 1

### Consultation responses

#### Little Gaddesden Parish Council

Little Gaddesden Parish Council objects to this application on the grounds that it is contrary to Policy CS7 of the Dacorum Core Strategy for the following reasons

- 1 The proposal significantly increases the built development between the house and the property boundary.
- 2 The proposed building is (at above 4m) too high for a building within 2m of the property boundary.
- 3 The roof line at the sides and rear of the building comes down to 0.9m from the ground and has a significant visual impact.

For these reasons the Parish Council believes that the development has a significant impact on the openness and rural appearance of the countryside in breach of Policy CS7.

#### Herts Ecology

Thank you for consulting Hertfordshire Ecology on the above application. I am not aware of any ecological interest (species or habitats), that will be affected by this development. I do not consider any ecological surveys are necessary and the application can be determined accordingly.

## Appendix 2

### Neighbour notification/site notice responses

#### Objections

Address	Comments
1 POND LANE,,,,	<p>Little Gaddesden Parish Council objects to this application on the grounds that it is contrary to Policy CS7 of the Dacorum Core Strategy for the following reasons</p> <p>1 The proposal significantly increases the built development between the house and the property boundary.</p> <p>2 The proposed building is (at above 4m) too high for a building within 2m of the property boundary.</p> <p>3 The roof line at the sides and rear of the building comes down to 0.9m from the ground and has a significant visual impact.</p> <p>For these reasons the Parish Council believes that the development has a significant impact on the openness and rural appearance of the countryside in breach of Policy CS7.</p>