

4/00891/19/FHA	CONSTRUCTION OF NEW CAR PORT
Site Address	WOODLAND VIEW, ROSSWAY, BERKHAMSTED, HP4 3UD
Applicant	Mr & Mrs Henry, Model Farm
Case Officer	Robert Freeman
Referral to Committee	The application is recommended for refusal contrary to the views of Wigginton Parish Council

1. Recommendation

1.1 That planning permission be **REFUSED**

1.2 That the reason for refusal is as follows:

The application site is located within the Green Belt and Chilterns Area of Outstanding Natural Beauty. The proposed extension would result in a materially larger dwelling on the site than that granted planning permission and the original building thereon and as such would constitute inappropriate development within the Green Belt. This would be definition be harmful to the open character and appearance of the Green Belt contrary to the National Planning Policy Framework (NPPF) and Policy CS5 of the Core Strategy. The building in view of its siting is also considered to result in harm to the openness of the area and would be detrimental to the character and appearance of the countryside contrary to the NPPF, Policies CS5 and CS24 of the Core Strategy and the Chilterns Building Design Guide SPD.

2. Summary

2.1 There is currently a replacement dwelling being constructed on the application site which is significantly larger than the original dwelling on the application site. This replacement dwelling was granted on the basis that it represented a proportionate increase in the size of the dwelling in situ and would be compensated for by the demolition of an adjacent barn building. These works in their entirety would not result in significant harm to the character and appearance of the Green Belt.

2.2 Since this replacement dwelling was approved there have been numerous attempts to increase the size of the property. These would render the removal of the barn used as Very Special Circumstances in application 4/03369/14/FUL, a futile exercise if approved and the resulting building would cause significant harm to the open character and appearance of the Green Belt and Chilterns Area of Outstanding Natural Beauty.

2.3 The proposed dwelling would result in an increase of 220% in the size of the original dwelling on the site and as such cannot be considered to be either small scale or proportionate. As such the proposals are considered to be inappropriate development which would be harmful to the open character and appearance of the Green Belt. The siting of the building detracts from the character and appearance of both the Green Belt and AONB.

2.4 The proposals are therefore contrary to the NPPF, Policies CS5 and CS24 of the Core Strategy.

3. Site Description

3.1 The site is located in an isolated position in the countryside and to the east of the village of Wigginton. The site is amongst a small group of buildings, including a model farm complex. This complex of buildings is accessed via a single track road and occupies a plateau position within the open countryside, the Green Belt and the Chilterns Area of Outstanding Natural Beauty (AONB).

3.2 The site currently comprises a building site, upon which there is a replacement dwelling close to completion. The immediate area is dominated by the Model Farm itself which has been significantly extended for residential use over the years and includes a number of stables beyond which there is a menage. There is also a pair of chalet bungalows with dormers in roof amongst these buildings with the final part of this complex of buildings comprises Lodge Farm House and its farm buildings which are set slightly apart from the other dwellings.

4. Proposal

4.1 The proposals seek planning permission for a two bay car port measuring some 5.8 m by 5.5 m (external dimensions)

5. Relevant Planning History

The planning history for the site identifies the presence of a small bungalow (approximately 80 sq.m) which was extended in the sixties and was used by a herdsman tending to cattle associated with the adjacent Model Farm. A property of some 118.5 square metres has been identified in the planning history and this has for the purposes of both this application and historic planning applications being the base dwelling for consideration against planning policy, although this itself is significantly larger than the original dwellinghouse.

There have been a number of attempts to replace this bungalow with a much larger dwelling since 2011 as follows:

4/02174/11/FUL - This application for a substantial two storey house was refused given its excessive size and location. The refusal was upheld at appeal with the Inspector concluding that despite there being a conflict between the NPPF and the Local Plan, that the increase in floorspace of the proposed replacement dwelling would be significantly larger than the one it would replaced and as would constitute inappropriate development which would be harmful to the Green Belt.

4/02067/13/FUL - An application for a slightly smaller house was proposed with the applicants also offering the demolition of an adjacent barn. The height of this property was considered to be too high and no appropriate mechanism to secure the long term removal of the barn was available. This was also refused.

4/03369/14/FUL - Planning permission for a replacement dwelling on this site was granted at the third attempt in 2014. This dwelling was granted on the back of a case for Very Special Circumstances and facilitated by the removal of the barn building (some 85 square metres) via a legal agreement. This barn has since been removed from the site.

The plans for the property were amended through the addition of a basement (60 square metres) in 2016 (4/01236/16/ROC) This amended permission is currently under

construction.

The proposals seek a further extension to the property with the addition of a car port with an internal floor area of some 28 square metres.

NB: There are some significant discrepancies between those figures quoted by the applicant and previous case officers.

6. Policies

6.1 National Policy Guidance

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

6.2 Adopted Core Strategy

NP1 - Supporting Development
CS1 - Distribution of Development
CS5 - Green Belt
CS8 - Sustainable Transport
CS12 - Quality of Site Design
CS13 - Quality of Public Realm
CS24 - The Chilterns Area of Outstanding Natural Beauty
CS25 - Landscape Character

6.3 Saved Policies of the Dacorum Borough Local Plan

Policies 13, 18, 21, 51, etc.

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

The site is located in the Green Belt and the Chilterns Area of Outstanding Natural Beauty

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
- Impact on Green Belt
- Impact on Chilterns Area of Outstanding Natural Beauty (AONB)
- Impact on Highway Safety
- Other

Policy and Principle

9.2 The site is located in the Green Belt where in accordance with NPPF and Policy CS5 of the Core Strategy the main purposes are the protection of the openness and character of the Green Belt, local distinctiveness and the physical separation of settlements. As such there would be strict controls over the nature and extent of development which may be considered acceptable.

9.3 The NPPF makes it clear that within the Green Belt new buildings should be considered to be inappropriate development with the following exceptions:

- the extension or alteration of a building which does not result in disproportionate additions over and above the size of the original building and
- the replacement of a building, providing the new building is in the same use and not materially larger than the one it replaces. Where a replacement building is to be provided for the same use and is not materially larger than the one it replaces;

9.4 Policy CS5 clearly establishes that within the Green Belt small-scale development will only be permitted for

- a) building for uses defined as appropriate in national policy;
- b) the replacement of existing buildings for the same use,
- c) limited extensions to existing buildings
- d) the appropriate reuse of substantial buildings and
- e) the redevelopment of previously development sites.....

providing 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.

9.5 Saved Policy 23 of the Local Plan is of some relevance in that it helps to clarify what may be considered to be small scale. It provides a crude measure of scale in that it defines small scale as a 30% increase in the size of the original dwelling.

9.6 It is suggested that the addition of the car-port should be considered in the context of the replacement dwelling under construction on this site and adds to the totality of this replacement building. The cumulative impact of such works is neither small scale nor is its impact on the open character and appearance of the Green Belt inconsequential. To otherwise consider the proposals would render the previous

decisions on the extent of the replacement dwelling and in particular the removal of the barn building to the rear of the site via a legal agreement a futile exercise.

9.7 The proposals should thus be considered to be an inappropriate form of development under the NPPF and CS5 of the Core Strategy and would by definition be considered harmful thereto.

9.8 The site is also located in the AONB and thus its impact on the special qualities of the AONB should be assessed. It is important therefore to consider the design of the proposed car port in the context of AONB policies of the Chilterns Conservation Board and associated Chilterns Building Design Guide as set out in Policy CS24 of the Core Strategy. The primary purpose of such policies is to conserve the natural beauty of such areas.

Impact on Green Belt

9.9 As set out in the planning history, the starting point for consideration of the proposals is that the application seeks to add a car port to a dwelling that was intended to replace a modest bungalow on the application site. Officers have previously agreed that this historic property had a floor area of 118.5 square metres and its replacement was only granted planning permission on the basis of the removal of a larger agricultural building on the application site.

9.10 Although the proposed car port would only add some 28 square metres to the property, the resulting buildings would have a floor area of approximately 346 square metres. Once the removal of the historic barn building (85 sq.m) is taken into account the resulting buildings would represent a 220% increase in the size of the original dwelling. This is clearly excessive as demonstrated in previous appeals for the construction of a replacement dwelling on the site and must in this context also be considered inappropriate development. This is by definition harmful to the Green Belt.

9.11 The proposed car port would comprise a detached structure to the east of the main building. It would be enclosed on three sides and would have a pitched roof extending to 4m in height. Given its siting and design it would impede views from the access road to the wider countryside beyond the application property and as such is considered to have an adverse impact upon the open character and appearance of the countryside contrary to Green Belt policy and its objectives.

Impact on AONB

9.12 The car port is considered to be appropriate in terms of its design, bulk, scale and use of materials but for the reasons set out above would be considered to be poorly sited in relation to the main dwelling and neighbouring property. Given its siting it would be unduly prominent within the front curtilage of the dwelling and would impede views to the surrounding countryside from the access road and neighbouring land. It would therefore be considered to be detrimental to the character and appearance of the AONB.

9.13 It would be better to relocate the garaging towards the rear of the site or provide a more coherent grouping of the buildings to more closely reflect the good practice in the Chilterns Building Design Guide and allowing soft landscaping of the property frontage.

Impact on Neighbouring Property

9.14 The proposed car port would have no significant impact upon the residential amenities of neighbouring properties in accordance with Policy CS12 of the Core Strategy and Saved Appendix 7 of the Dacorum Borough Local Plan 1991-2011. Given the height of the proposals and their juxtaposition to neighbours there would be no significant loss in either daylight or sunlight to surrounding residences.

Impact on Highway Safety

9.15 The construction of a car port is not considered to have an unacceptable impact on matters of highways safety in accordance with Policies CS8 and CS12 of the Core Strategy and Saved Appendix 5 of the Local Plan 1991-2011. The access arrangements to the dwelling remain unaltered with safe passage being provided onto the wider access road serving the property, its neighbours and Model Farm.

Other Material Planning Considerations

9.7 The proposals do not appear to raise any other significant planning issues. The comments of the Rights of Way officer are noted and should be pursued separately to this application.

10. Conclusions

10.1 As set out above the proposals should be refused planning permission as they result in inappropriate development in the Green Belt and AONB

11. RECOMMENDATION – That planning permission be **REFUSED** for the reasons referred to above and for the following reason:

Reasons for Refusal

No	
1	The application site is located within the Green Belt and Chilterns Area of Outstanding Natural Beauty. The proposed extension would result in a materially larger dwelling on the site than that granted planning permission and the original building thereon and as such would constitute inappropriate development within the Green Belt. This would by definition be harmful to the Green Belt affecting its open character and appearance contrary to the National Planning Policy Framework (NPPF) and Policy CS5 of the Core Strategy. The building in view of its siting is considered to result in harm to the openness of the area and would be detrimental to the character and appearance of the countryside contrary to the NPPF, Policies CS5 and CS24 of the Core Strategy and the Chilterns Building Design Guide SPD.

Appendix A

Consultation responses

Wigginton Parish Council

We would support this application

Rights of Way Officer

The site is crossed by Wigginton public footpath 2 and there would be concerns that the southern boundary of the property appears to have migrated onto land set aside for the public footpath. If there is any doubt we may need to get an independent survey to determine the extent of public highway.

Appendix B

Neighbour notification/site notice responses

Support

Lodge Farmhouse

I have no issue with this carport as long as the replanting of mature trees and shrubs are followed as per submitted plans.