

ITEM NUMBER: 5b

20/00076/OUT	Replacement Dwelling (To replace the existing single-storey bungalow with a 2-storey dwelling)	
Site Address:	Green Hedges Chesham Road Wigginton Tring Hertfordshire HP23 6HH	
Applicant/Agent:	Mr Mitchell	
Case Officer:	Robert Freeman	
Parish/Ward:	Wigginton Parish Council	Aldbury & Wigginton
Referral to Committee:		

1. RECOMMENDATION

That planning permission be GRANTED

2. SUMMARY

2.1 The replacement of the existing dwellings in the village of Wigginton is acceptable in accordance with Policy CS6 of the Core Strategy.

2.2 The replacement dwelling would be appropriate in scale and size in accordance with Policies CS6 and CS12 of the Core Strategy.

2.3 The proposed dwelling would utilise the existing access and parking arrangements for the site and would not involve a significant intensification in its use. As such the proposals are also considered to be acceptable in accordance with Policy CS8 and CS12 of the Core Strategy and Saved Policies 51 and 58 and Appendices 3 and 5 of the Dacorum Borough Local Plan 1991-2011

3. SITE DESCRIPTION

3.1 The application site is located on the western side of Chesham Road and to the south of Wigginton Community shop and playground. It is one of a number of dwellings forming a ribbon development between the core of Wigginton village and the more remote Wigginton Bottom.

3.2 The application site is located within the Green Belt and Chilterns Area of Outstanding Beauty (AONB)

3.3 The application site comprises a modest bungalow and its garden. This is at odds with the predominantly two storey semi-detached units in the immediate context of the application site.

4. PROPOSAL

4.1 The proposal seeks outline planning permission for the demolition of the existing property and the construction of a larger dwelling upon the application site.

4.2 The matters for determination are those of scale and the means of access to the property. The appearance, layout and landscaping are reserved for future consideration.

4.3 The proposal would provide a two storey dwelling and increase the floor area of the property by around 130% of its current size. A parameter plan is included within the submitted documents, ASD2019-023 Plan 002 Revision A, illustrating the nature of the proposals.

5. PLANNING HISTORY

None

6. CONSTRAINTS

Parking Accessibility Zone (DBLP): 4

Special Control for Advertisements:

Area of Outstanding Natural Beauty: CAONB outside Dacorum

CIL Zone: CIL1

Former Land Use (Risk Zone): Former Coal Yard, Valpy Close, Wigginton

Former Land Use (Risk Zone): Former Sewage Filter Bed, Osbourne Way, Wigginton

Former Land Use (Risk Zone): Infilled Pond, Wigginton Bottom, Wigginton

Green Belt: Policy: CS5

Parish: Wigginton CP

RAF Halton and Chenies Zone: Red (10.7m)

RAF Halton and Chenies Zone: RAF HALTON: DOTTED BLACK ZONE

EA Source Protection Zone: 3

7. REPRESENTATIONS

Consultation responses

7.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

8. PLANNING POLICIES

Main Documents:

National Planning Policy Framework (February 2019)

Dacorum Borough Core Strategy 2006-2031 (adopted September 2013)

Dacorum Borough Local Plan 1999-2011 (adopted April 2004)

Relevant Policies:

NP1 - Supporting Development

CS1 - Distribution of Development

CS5 – Green Belt

CS6 – Selected Villages in the Green Belt

CS8 – Sustainable Transport

CS10 - Quality of Settlement Design

CS11 - Quality of Neighbourhood Design

CS12 - Quality of Site Design

CS24 – The Chilterns Area of Outstanding Natural Beauty

CS25 – Landscape Character

CS28 – Carbon Emissions Reductions

CS29 - Sustainable Design and Construction

CS31 – Water Management

CS32 – Air, Soil and Water Quality

CS35 – Infrastructure and Developer Contributions

Supplementary Planning Guidance/Documents:

Accessibility Zones for the Application of Car Parking Standards (2002)
Chilterns Building Design Guide
Energy Efficiency and Conservation
Planning Obligations (2011)
Roads in Hertfordshire, Highway Design Guide 3rd Edition (2011)
Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice (2011)
Water Conservation

9. CONSIDERATIONS

Principle of Development

9.1 The site is located within the Green Belt where in accordance with Policies CS5 and CS6 of the Core Strategy the replacement and extension of existing dwellings would be acceptable providing that the replacement building would not be disproportionate in size to the current dwelling, nor result in significant harm to the character and appearance of the Green Belt.

Scale

9.2 There would be no objection to the replacement of the bungalow with a two storey property. This would be more in keeping with the two storey properties within the locality and would not result in any significant harm to the visual amenities of the area in accordance with Policy CS11 and CS12 of the Core Strategy.

9.3 The proposals would increase the floor area of the proposed dwelling to a maximum of 130% of the existing dwelling. This is not considered disproportionate given the site context and surroundings. The property itself is dwarfed by a number of larger properties within the street including both two storey neighbouring properties. Furthermore the dwelling would be located on a large plot of land and would have a substantial rear garden/amenity area given the size of the proposed unit.

Impact on the Chilterns Area of Outstanding Natural Beauty

9.4 The proposals are subject to reserved matters applications at which design matters will be considered in greater detail to ensure that the property is in keeping with the AONB. The proposals in respect of the outline matters are not considered to detract from the landscape quality and natural beauty of the AONB in accordance with Policies CS24 and CS25 of the Core Strategy.

Impact on Residential Amenity

9.5 The parameter plan supplied with the application indicates height zones in which two storey built form and single storey built form may be considered. This has been revised to take account of the impact of development upon neighbouring units, particularly Glenthorpe, which has a number of windows within its flank elevation. The proposed property has been moved forward upon the plot and the extent of two storey development has been limited through this process.

9.6 Glenthorpe has two windows at ground floor level (a hall and bathroom) facing the application site. A further window is located within the first floor of the flank elevation providing light to a bedroom area. The proposed dwelling has been brought forward on the plot to mitigate the impact upon all these rooms. The parameter plan provided with the proposals indicates that the two storey extension would be sited forward of these windows and well away from the boundary. As a consequence any loss of light or sunlight is likely to be insignificant, notwithstanding a change in topography between the sites.

9.7 The impact on the amenities of Firth are negligible given the juxtaposition between the proposed dwelling and its neighbour. The two storey building would not breach a 45 degree angle to the main windows to habitable rooms within this property in accordance with the advice in Saved Appendix 3 of the Local Plan 1991-2011.

Impact on Highway Safety and Parking

9.8 The proposed dwelling would utilise the existing access onto Chesham Road and would not result in any significant intensification in the use of this access. As such it is not considered to be detrimental to matters of highways safety. There is sufficient space within the curtilage of the property to park and manoeuvre in accordance with Saved Appendix 5 of the Local Plan 1991-2011.

Conditions

9.9 Further details on the appearance, layout and landscaping of the proposals will be secured by planning condition. The details requirements of each matter are set out in further conditions, including the need to provide details of any tree protection and site levels. It is acknowledged that the change in topography between the site and its surroundings makes it important that such level information is provided in advance of the commencement of development upon the application site.

10. CONCLUSION

10.1 The proposals are considered to be appropriate development in this sensitive location in the Chilterns AONB and Green Belt. A larger residential property will contribute to the vitality of the village of Wigginton and can be accommodated without harm to the appearance of the area or neighbouring property.

11. RECOMMENDATION

11.1 That planning permission be **GRANTED** subject to the following conditions:

1) **The development hereby permitted shall begin no later than 2 years from the date of approval of the last of the reserved matters to be approved.**

Reason: To comply with the provisions of Section 92 (2) of the Town and Country Planning Act 1990 (As Amended).

2) **Details of the access, appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved. Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.**

Reason: To comply with the provisions of Section 92 (2) of the Town and Country Planning Act 1990.

3) **No development shall take place until details of the appearance of the development hereby permitted shall have been submitted to and approved in writing by the Local Planning Authority.**

Details of appearance shall cover:

- **architecture**
- **the materials to be used in the external appearance of the development**

- colour and texture of materials
- decoration or detailing of architecture and
- lighting

Development shall be carried out in accordance with the approved details.

Reason: To ensure satisfactory appearance to the development and to safeguard the visual character of the area in accordance with Policies CS11 and CS12 of the Dacorum Borough Core Strategy (2013).

4) No development shall take place until full details of both hard and soft landscape works has been submitted to and approved in writing by the Local Planning Authority. These details shall include:

- all external hard surfaces within the site;
- other surfacing materials;
- means of enclosure;
- soft landscape works including a planting scheme with the number, size, species and position of trees, plants and shrubs;
- minor artefacts and structures (e.g. furniture, play equipment, signs, refuse or other storage units, etc.);
- site levels, finished floor levels and ridge level in relation to both existing and proposed site levels and neighbouring land
- service routes including means of sustainable drainage and
- retained historic landscape features and proposals for restoration, where relevant.

The planting must be carried out within one planting season of completing the development.

Reason: To improve the appearance of the development and its contribution to biodiversity and the local environment, as required by saved Policy 99 of the Dacorum Borough Local Plan (2004) and Policy CS12 (e) of the Dacorum Borough Council Core Strategy (2013).

5) Prior to the demolition (or any roof works) of any of the existing buildings on site, bat survey(s) shall be undertaken by a qualified professional to establish the presence or absence of bats in the internal roof space and submitted to and approved in writing by the Local Planning Authority. Should bats be found, the appropriate mitigation measures and contingency plans shall be implemented in accordance with the approved details.

Reason: To identify and ensure the survival and protection of important species and those protected by legislation that could be adversely affected by the development, having regard to Policies CS26 and CS29 of the Dacorum Borough Core Strategy and Section 15 of the National Planning Policy Framework (2019).

6) Any tree or shrub which forms part of the approved landscaping scheme which within a period of 5 years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a species, size and maturity

Reason: To improve the appearance of the development and its contribution to biodiversity and the local environment, as required by saved Policy 99 of the Dacorum Borough Local Plan (2004) and Policy CS12 (e) of the Dacorum Borough Council Core Strategy (2013).

7) No development shall take place until details of surface water drainage works shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include an assessment of the potential for disposal of surface water by means of a sustainable drainage system. Where a sustainable drainage system is to be provided, the submitted details shall include:

- (a) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;**
- (b) include a timetable for its implementation; and,**
- (c) provide, a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.**

Reason: To ensure that the site is subject to an acceptable drainage system serving the development and to prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site in accordance with Policy CS31 of the Dacorum Borough Core Strategy (2013) and Paragraph 165 of the National Planning Policy Framework (2019).

8) No construction of the superstructure shall take place until details of proposed sustainability measures within the development shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the sustainable development of the site in accordance with the aims of Policies CS28 and CS29 of the Dacorum Borough Core Strategy (2013), the Sustainable Development Advice Note (2016) and Paragraphs 150 and 153 of the National Planning Policy Framework (2019).

9) The development shall be carried out in accordance with the following approved plans:

ASD 2019 - 023 – 02 Revision A (Site Plan and Elevations)

Reason: For the avoidance of doubt

Informatives:

1. If bats, or evidence for them, are discovered during the course of roof works, work must stop immediately and advice sought on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England to avoid an offence being committed.
2. In accordance with the Councils adopted criteria, all noisy works associated with site demolition, site preparation and construction works shall be limited to the following hours - 07:30 to 18:30 on Monday to Saturday, no works are permitted at any time on Sundays or bank holidays.
3. 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 (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Wigginton Parish Council	<p>We have considered the amended plans for the scheme and the Parish Council, taking into consideration the concerns and objections of neighbouring properties, resolved to object to this planning application. Loss of light, privacy and dominance were quoted</p>
Environmental And Community Protection (DBC)	<p>No objection on noise or air quality grounds.</p> <p>I would suggest including the informative below for construction noise / dust etc having regard to likely duration of build.</p> <p>Construction Hours of Working - (Plant & Machinery) Informative</p> <p>In accordance with the councils adopted criteria, all noisy works associated with site demolition, site preparation and construction works shall be limited to the following hours: 0730hrs to 1730hrs on Monday to Friday, 08:00 - 13:00 Saturday and no works are permitted at any time on Sundays or bank holidays.</p> <p>Construction Dust Informative</p> <p>Dust from operations on the site should be minimised by spraying with water or by carrying out of other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Practical Means (BPM) should be used at all times. The applicant is advised to consider the control of dust and emissions from construction and demolition Best Practice Guidance, produced in partnership by the Greater London Authority and London Councils.</p> <p>Noise on Construction/Demolition Sites Informative</p> <p>The attention of the applicant is drawn to the Control of Pollution Act 1974 relating to the control of noise on construction and demolition sites.</p>
Hertfordshire Highways (HCC)	<p>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.</p> <p>INFORMATIVES:</p> <p>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</p>

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

3. Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-and-developer-information.aspx>.

COMMENTS

This outline application is for: Replacement Dwelling (To replace the existing single-storey bungalow with a 2-storey dwelling)

ACCESS

There are existing vehicular and pedestrian accesses on Chesham Road, which will be maintained

No new or altered vehicular or pedestrian access to the highway is required and no works are proposed in the highway.

Chesham Road is an unnumbered classified C road with a 30mph speed limit. There have been no accidents involving personal injury in the vicinity of the site in the last 5 years.

PARKING

The three existing off road parking spaces will be retained for the proposed property.

	<p>CONCLUSION</p> <p>HCC as highway authority considers that the proposals would not have a severe residual impact upon highway safety or capacity, subject to the informative notes above</p>
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APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
4	2	0	2	0

Neighbour Responses

Address	Comments
Frith Chesham Road Wigginton Tring Hertfordshire HP23 6HH	At present this is a bungalow with an eave height of 2.4m it is set back for the back of Frith House by 3.8m The proposed plans would see the height raised to 5.4m which would block all sunlight from the back of Frith House until approx 14:30 hours and a good amount of daylight all day
Glenthorpe Chesham Road Wigginton Tring Hertfordshire HP23 6HH	<p>We are the owner/occupiers of the adjoining property at Glenthorpe, and we strongly object to the proposal on the following grounds:</p> <ol style="list-style-type: none"> 1. The houses on Chesham Road at this point are on a hill, and the ground level at Green Hedges is significantly higher than our property. There does not appear to be a street elevation submitted with the proposal from which to gauge a comparison of the respective levels and heights. 2. The proposed house is somewhat taller than the existing bungalow. There does not appear to be a comparison 'overlay' in the submitted documents, but the proposed property appears to be in excess of 2 metres taller than the existing. No proposed levels or heights are stated on the proposed drawings 3. We have a number of windows on the side elevation of our property which will be adversely affected by the proposal. The first floor window of our property is indicated on the 'proposed siting and access plan', but no survey has been carried out, so it is not possible to guarantee it's accuracy. 4. The Design & Access Statement states that 'amenities of neighbours will be respected by the 45deg rule. However, there is no consideration of rights to light, or application of the 25deg rule in relation to the windows on our side elevation - this appears to have been ignored. 5. Applying the 25deg rule to our side elevation in accordance with the BRE Site Layout and Planning for Daylight and Sunlight : A Guide to Good Practice (2011), we believe that the proposal exceeds the guidance.

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| | <p>6. From our first floor window, the existing bungalow roof is approximately 6 metres away, and around 1 metre higher. Whilst the proposed side wall of the new property is set back, the new pitched roof will be much closer, at about 3 metres from the window extending up some 4 - 5 metres higher.</p> <p>7. We feel that the LPA should refuse the application on the grounds that it is un-neighbourly, it adversely impacts on primary windows serving habitable rooms to our property, creating loss of light.</p> <p>8. We invite the case officer to view the proposal from our property, to see the negative impact that the increased height will have on our rooms to the side of the house.</p> |
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