

ITEM NUMBER: 5f

21/02156/FHA	Construction of pitched roof porch to front. Replacement windows. Demolition of existing double garage and replace with new garden building/studio.	
Site Address:	2 Chesham Road Wigginton Tring Hertfordshire HP23 6HH	
Applicant/Agent:	Mrs Darya Robinson	
Case Officer:	Melissa Martin	
Parish/Ward:	Wigginton Parish Council	Aldbury & Wigginton
Referral to Committee:	Contrary views of Parish Council	

1. RECOMMENDATION

That planning permission be GRANTED subject to conditions.

2. SUMMARY

2.1 The proposals comprise a proportionate extension to an existing building and a replacement outbuilding in the Green Belt and are thus acceptable in principle in accordance with Section 13 of the National Planning Policy Framework 2021 (NPPF) and Policies CS5 and CS6 of the Core Strategy (2013). Given their size, scale, siting and design there would be no harm to the site, the existing dwelling, the street scene, the Green Belt or the Chilterns Area of Outstanding Natural Beauty (AONB). Given the limited height of both elements of the proposals, the development would not result in harm to the residential amenities of adjacent or surrounding properties regarding light, privacy or visual intrusion or the safety and operation of adjacent highways. The proposals are therefore considered to comply with the NPPF and Policies CS5, CS6, CS11, CS12, and CS24.

3. SITE DESCRIPTION

3.1 The application site is located on Chesham Road in Wigginton, Tring. The site comprises of a two storey semi-detached dwelling with a long rear garden that includes detached outbuildings half way down and to the very rear. The rear of the site has vehicular access via an archway to the side of the dwelling, with first floor accommodation above. The site is situated in a Green Belt and the Chilterns AONB.

4. PROPOSAL

4.1 The application seeks householder permission for the construction of a pitched roof porch to the front elevation of the dwelling, replacement windows, the demolition of the existing double garage/outbuilding and its replacement with new garden building/studio in a slightly different position. The outbuilding would comprise a flat roof 3m high and be used for storage/garaging/workshop for sole use by the occupants of the dwelling.

5. PLANNING HISTORY

None.

6. CONSTRAINTS

Area of Outstanding Natural Beauty
CIL Zone 1
Green Belt
Parish: Wigginton
RAF Halton and Chenies Zone: Red (10.7m)

RAF Halton and Chenies Zone: RAF HALTON: DOTTED BLACK ZONE
Parking Standards: Zone 3
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 (2021)
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 Small Villages in the Green Belt
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS24 – The Chilterns Area of Outstanding Natural Beauty
CS29 - Sustainable Design and Construction

Supplementary Planning Guidance/Documents:

Car Parking Standards (2020)
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)

9. CONSIDERATIONS

Main Issues

9.1 The main issues to consider are:

The policy and principle justification for the proposal;
The quality of design and impact on visual amenity;
The impact on residential amenity; and
The impact on highway safety and car parking.

Principle of Development

9.2 The dwelling is situated within the small village of Wigginton in the Green Belt. Paragraph 149 of the NPPF 2021 sets out that new buildings within the Green Belt are inappropriate and will not be acceptable, other than for a limited number of exceptions. Para 149 of the NPPF lists exceptions and these include; c) the extension or alteration of an existing building providing it does not result in a disproportionate addition; and d) the replacement of an existing building for the same use, provided it is not materially larger than the one it replaces.

9.3 Policy CS5 echoes the NPPF. Policy CS6 allows for more flexibility in selected small villages in the Green Belt, stating that in Wigginton, the replacement of existing buildings and house extensions will be permitted.

9.4 The proposals are considered acceptable in principle in accordance with Section 13 of the NPPF and Policies CS5 and CS6 of the Core Strategy 2013.

9.5 The proposed porch to the front elevation would result in a very modest addition to the front elevation and is considered proportionate and small-scale.

9.6 The proposed garden building/studio would follow the demolition of the existing double garage, so is considered as a replacement building for the same use (incidental to the dwelling), albeit in a slightly different location within the rear garden. Whilst the proposed outbuilding would have a larger footprint and be materially larger than the existing garage, additional flexibility can be applied within defined villages and built up locations, as recognised in Policy CS6. The replacement building would be sympathetic to its surroundings, occurring within a large plot with generous rear garden and be sited wholly in the context of existing development, including the adjacent properties Huntley and Lingwood. The siting would be well contained within the existing 'developed' environments. The proposed outbuilding would not have a significant impact on the character, appearance or openness of the surrounding countryside. The principle of development is therefore considered acceptable.

Quality of Design / Impact on Visual Amenity

9.7 The dwelling is situated in the Chilterns AONB. Policy CS24 states the special qualities of the AONB will be conserved. The Chiltern's Conservation Boards Management Plan 2019-2024 states the special qualities, which include panoramic views, tranquillity, ancient route ways, ancient hedgerows and national trails.

9.8 Policy CS11 and CS12 state development should respect the typical density intended in an area, preserve attractive streetscapes and respect adjoining properties in terms of scale, layout and materials.

9.9 The proposed front porch and replacement windows would be visible from the street scene but would not alter the overall character, appearance or visual impact of the dwelling and would preserve the special qualities of the area, complying with Policies CS11, CS12 and CS24.

9.10 The proposed porch would be a modest addition to the front elevation of the dwelling, measuring approximately 1.8 metres in depth, 1.8 metres in width and 2.1 metres in height. The porch would not result in an unduly prominent structure and would be viewed against the backdrop of the existing dwelling. The scale and layout are considered acceptable. The porch would also provide a welcome focal point to the front elevation and modernise its general appearance. The street scene presents a variety of window designs, therefore it is not felt replacing the windows would have a detrimental impact on the character or appearance of the surrounding area.

9.11 Given its siting and height the proposed outbuilding would not be readily visible from public vantage points. As such, it would have a minimal visual impact on the street scene and this part of the AONB. Glimpses would be possible through the existing vehicular archway in the existing dwelling but these would be limited and would not affect the overall character of the area.

9.12 The outbuilding as proposed would be positioned to the rear of the existing double garage and would measure approximately 11 metres in length, 6.5 metres wide and 3 metres in height. Both the adjacent properties have outbuildings/buildings within the rear garden areas which are not evident from the main street scene. The proposed structure would be approximately 0.5 metres higher than what could be constructed under permitted development rights, which is a material consideration. The 0.5m increase in height above permitted development rights (i.e. a proposal that would not require formal planning permission) is not considered to have a significant detrimental visual impact when compared to a 2.5m outbuilding of identical footprint/size, which would not require permission. The outbuilding would be situated within a large plot, would be set away from the adjacent dwellings and would not be visible from public vantage points. The siting, scale and height are thus considered acceptable. In addition it is important to note that there are much taller and more visually intrusive buildings that currently exist within the plots of both immediate neighbours.

9.13 The application form states the porch would be constructed in part glazed, part oak and part white pebble dashed render and roof tiles to match the existing house. The windows in the dwelling would be replaced with white UPVC windows. The outbuilding would be constructed in green timber cladding and a rubber roof with green sedum matting. The proposed materials are considered acceptable as they would respect the character of the existing dwelling, not have a significant impact on the character or appearance of the street scene, or this part of the AONB.

Impact on Residential Amenity

9.14 Policy CS12 of the Core Strategy 2013 states development should avoid visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to neighbouring properties.

9.15 There would be sufficient distance between the proposed porch and neighbouring properties windows such that it would not have a significant impact on their residential amenities with regard to a loss of light. The proposed elevation plans show there would be no windows on the side elevations of the proposed porch, therefore, the development would not have a detrimental impact on the neighbour's privacy. Given its modest height and position it would not appear visually intrusive.

9.16 The replacement windows would not have an impact on residential amenity as it would not increase any existing impacts on privacy or prevent sunlight or daylight from projecting into habitable rooms.

9.17 Due to the distance between the proposed outbuilding and neighbouring properties, the outbuilding would not have a detrimental impact on light levels to habitable rooms or the immediate garden areas of surrounding properties. Given its siting, separation distance, limited height, and the fact it is flat roof the proposed outbuilding would not appear visually intrusive or overbearing to the adjacent properties, even when taking into account the land level difference, no major concerns are raised concerning its impact on neighbouring properties. It will be visible but not to such a degree as to appear oppressive or harm residential amenity. It would also be viewed within the context of much taller existing outbuildings/dwellings in the immediate neighbouring sites.

9.18 The proposed outbuilding would be sited largely beyond the rear garden of Huntley, such that any impact would be minimal. It would align partially with the existing taller pitched roof garage of Lingwood and then be sited between the garage and the main dwelling building of Lingwood further to the rear. As set out above, a 0.5m lower structure would not require planning consent and this is a material consideration. The proposed elevation plans for the outbuilding show there would be no windows on the side elevation of the development facing neighbouring properties, therefore the development would have a limited impact on privacy. Whilst it will be visible the outbuilding would not harm residential amenity to a level that would warrant a refusal.

9.19 Sufficient garden space would be retained for 2 Chesham Road.

Impact on Highway Safety and Parking

9.20 The Parking Standards Supplementary Planning Document (2020) states all parking demand for residential development should be accommodated on site.

9.21 The proposed works would not change the number of bedrooms within the dwelling. While the development would result in the loss of the double garage, there is sufficient space to the front and rear of the dwelling to accommodate the off-street parking requirements of the property without displacement outside of the site. Therefore, it is not felt the proposed development would have a significant impact on parking provision.

9.22 No change of access or alteration to the public highway would occur, such that there would be no adverse impact on the safety or operation of the adjacent highway.

Other Material Planning Considerations

9.23 No other material planning considerations identified.

Response to Neighbour Comments

9.24 Two neighbour comments were received raising concerns regarding the height of the outbuilding and noise disturbance. It is not felt that the proposed outbuilding would cause significant visual intrusion as there would be sufficient distance between neighbouring properties front and rear elevations. It is not felt that the outbuilding would result in significant overshadowing as it would stretch a small portion at the rear boundary of one of the objecting neighbour's private amenity spaces. Sufficient uninterrupted (with no adjacent structure) amenity space would remain for Huntley and Lingwood. Despite the difference in the adjacent land levels, the outbuilding is not excessive in its height and not significantly higher than what could be constructed under permitted development rights, as previously mentioned. Whilst visible, the additional 0.5m height proposed (over and above permitted development) would not be harmful to the point it would appear dominant or oppressive or adversely affect residential amenity.

9.25 The applicant has confirmed the outbuilding would be used solely by the occupants of the existing dwelling and insulated to reduce noise disturbance to neighbouring properties. A wall cross section plan to show this will be the case. There is no evidence to suggest the proposed development would result in significant noise disturbance to surrounding properties such that a refusal could be sustained. Even if this were the case and noise and disturbance became an issue once constructed this could be controlled under separate legislation.

Community Infrastructure Levy (CIL)

9.26 Policy CS35 of the Core Strategy requires all developments to make appropriate contributions towards infrastructure required to support the development. These contributions will normally extend only to the payment of CIL where applicable. The Council's Community Infrastructure Levy was adopted in February 2015 and came into force on 1 July 2015. CIL relief is available for affordable housing, charities and Self Builders and may be claimed using the appropriate forms.

10. CONCLUSION

10.1 To conclude, it is not felt that the proposed development would have a detrimental impact on the character or appearance of the surrounding countryside or the openness of the Green Belt. The development would not have a significant impact on the character or appearance of the existing dwelling or would significantly impact the street scene. The development would not have a detrimental impact on the amenity of neighbouring properties or highway safety/car parking.

Therefore, the proposal is acceptable in accordance with the aims of the National Planning Policy Framework (2021) and Policies CS5, CS6 CS11, CS12 and CS24 of the Core Strategy (2013).

11. RECOMMENDATION

11.1 That planning permission be GRANTED.

Condition(s) and Reason(s):

1. **The development hereby permitted shall begin before the expiration of three years from the date of this permission.**

Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990, as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

2. **The development hereby permitted shall be constructed in accordance with the materials specified on the application form.**

Reason: To make sure that the appearance of the building is suitable and that it contributes to the character of the area in accordance with Policies CS11 and CS12 of the Dacorum Borough Core Strategy (2013).

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

Existing and Proposed Elevations uploaded 16th June 2021
Existing and Proposed Floor Plans uploaded 16th June 2021
Proposed Outbuilding Plans uploaded 16th June 2021
Proposed Block Plan uploaded 25th May 2021
Location Plan

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

4. **The outbuilding hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 2 Chesham Road and shall not be independently occupied.**

Reason: To ensure that the use of the outbuilding remains incidental and does not intensify the use of the site, since this would be out of character and contrary to the provision of Policies CS11 and CS12 of the Core Strategy (2013).

Informatives:

1. Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. 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

Parish/Town Council	<p>Wigginton Parish Council objects this planning application based on:</p> <ol style="list-style-type: none"> 1. The building being proposed is of 3m height flat roofed a significant size area and higher than the building it replaces. It will overshadow the garden of my property and be in sight lines from the ground floor living rooms 2. There is a ground differential properties of 0.3m which is not shown in the plans and this accentuates the height impact. 3. Absence of Insulation (thermal/sound) in proposal to enable the use of workshop bench power tools.
---------------------	---

APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
3	2	1	1	0

Neighbour Responses

Address	Comments
<p>Lingwood Chesham Road Wigginton Tring Hertfordshire HP23 6HH</p>	<p>I support the planning application for the new pitched roof porch and replacement windows. This will be a definite improvement to the current house.</p> <p>I am satisfied with the location of the proposed garden building and the intention to grow a sedum roof upon it to support the environment. However I am concerned about the following criteria regarding the height and potential noise disturbance of the garden building:</p> <p>The proposed structure will be a very large building (11m x 6.5m) and due to its height of 3 metres I am concerned about visual intrusion due to the towering nature of the design, which will be accentuated by the change in ground level between the two gardens. A three metre tall structure with straight sides will be very dominant in the proposed environment with the neighbouring properties in close proximity. I believe that this can be addressed through changes to the design, for example lowering the eaves on the boundary side and employing a single pitched roof.</p> <p>I understand the that the building will primarily be a workshop for the purpose of joinery work and I am therefore concerned about the level of noise that will result from using electrical power tools and the proximity of this noise to our garden and home, as the proposed garden building is right next to our boundary. After a verbal discussion with my neighbours, I believe it is their intention to add a high level of insulation to the building in order to reduce noise levels, although I cannot see</p>

	any acknowledgement of this on the planning application.
Huntley Chesham Road Wigginton Tring Hertfordshire HP23 6HH	<p>Whilst the purpose of the new room is not clear, described variously as Studio, Workshop, and Garden Room, the replacement of the existing time expired garage is to be welcomed.</p> <p>There are three issues with the proposal</p> <ol style="list-style-type: none">1 The building being proposed is of 3m height flat roofed a significant size area. , and higher than the building it replaces. It will overshadow the garden of my property and be in sight lines from the ground floor living rooms2. There is a ground differential properties of 0.3m which is not shown in the plans and this accentuates the height impact.3. Absence of Insulation (thermal/sound) in proposal to enable the use of workshop bench power tools.