

**ITEM NUMBER: 5a**

<b>23/00672/FUL</b>	<b>Construction of a new dwelling and detached double garage with crossover.</b>	
<b>Site Address:</b>	<b>1 Fox Close Wigginton Tring Hertfordshire HP23 6ED</b>	
<b>Applicant/Agent:</b>	<b>Mr Mark Ellinger</b>	<b>Mr James Crawley</b>
<b>Case Officer:</b>	<b>Heather Edey</b>	
<b>Parish/Ward:</b>	<b>Wigginton Parish Council</b>	<b>Aldbury &amp; Wigginton</b>
<b>Referral to Committee:</b>	<b>Contrary Review of Parish Council</b>	

**1. RECOMMENDATION**

1.1 That planning permission be DELEGATED with a view to APPROVAL subject to an appropriate assessment in accordance with article 6(3) of the Habitats Directive and securing a mitigation package to avoid any further significant effects on the Chilterns Beechwood Special Area of Conservation (SAC) through financial contributions secured by legal agreement.

**2. SUMMARY**

2.1 The proposed development is considered to be acceptable in principle, in accordance with Policies CS5 and CS6 of the Dacorum Borough Core Strategy (2013) and the NPPF (2021).

2.2 Whilst the proposed new dwelling would appear a significant addition to the site, it is not considered that it would appear out of keeping with the character and appearance of the streetscene, Small Village of Wigginton and wider Chilterns Area of Outstanding Natural Beauty. Furthermore, subject to a condition requiring a new first floor side facing opening being obscure glazed and non-opening, it is not considered that the proposal would adversely affect the residential amenity of neighbouring properties in terms of being visually overbearing or resulting in a significant loss of light or privacy.

2.3 The proposal is also considered to be acceptable on highway/pedestrian safety grounds, having no adverse impacts on the safety and operation of the existing highway network. The proposal is considered to provide sufficient parking and amenity space for the new dwelling and to retain sufficient parking provision and amenity space for 1 Fox Close. Given all of the above, the proposal complies with the National Planning Policy Framework (2021), Policies CS5, CS6, CS8, CS11, CS12, CS24 and CS29 of the Dacorum Borough Core Strategy (2013), Saved Appendices 3 and 7 of the Local Plan (2004) and the Parking Standards Supplementary Planning Document (2020).

**3. SITE DESCRIPTION**

3.1 The application site comprises a detached dwellinghouse 1 Fox Close and front garage, sited on a large corner plot, in a relatively prominent position at the junction of Fox Road and Fox Close. The site falls within the Small Village of Wigginton in the Metropolitan Green Belt and is within the Chilterns Area of Outstanding Natural Beauty.

3.2 Whilst forming the start of a small group of similarly styled chalet properties fronting a small private green, 1 Fox Close is noted to occupy a larger, wider plot, with its long side boundary abutting the main road and bounded by a mature hedgerow trees and fencing. The property benefits from a significant side and rear garden.

**4. PROPOSAL**

*Previous History*

4.1 Planning permission was granted under application 4/02093/16/FUL for the construction of a new three bed detached dwelling, (in the rear garden of 1 Fox Close), with associated detached double garage and vehicle crossover, facilitating access to the property off Fox Road. Permission was also granted under this application for a number of extensions and alterations to be made to no. 1 Fox Close, including the demolition of the existing front garage and construction of a new two storey front extension and single storey side extension. This permission was however never implemented and has now lapsed.

#### *Current Proposal*

4.2 The current application seeks permission for the construction of a new three bed detached dwellinghouse, (sited to the south of 1 Fox Close and sited between this property and neighbouring property Hilltop), fronting Fox Road. The new dwelling would be accessed by way of a new vehicular crossover off Fox Road, and would benefit from a detached garage, facilitating off-street car parking provision for two cars.

4.2 The new dwelling would comprise an 'L-shaped form', featuring a hipped roof, flat roofed single storey front porch and chimney. The submitted plans indicate that the dwelling would be externally finished in brickwork at ground floor level, comprising a render finish at first floor level, with plain concrete roof tiles.

4.3 Whilst the current application omits extensions/alterations to no. 1 Fox Close, the new three bed detached dwelling with associated access and garage is identical to the works considered and approved under application 4/02093/16/FUL.

## **5. PLANNING HISTORY**

Planning Applications (If Any):

23/00650/FHA - Replace existing front garage with two storey front extension, replacement dormers and other alterations to the roof, single storey side/rear extension and associated works  
*WDN - 24th May 2023*

23/01452/FHA - Replace existing front garage with 1.5 storey front extension & single storey side extension  
*WDN*

4/02093/16/FUL - Construction of three bedroom dwelling and double garage. alterations to existing dwelling. Replace existing front garage with two storey front extension, single storey side extension with part extension (amended scheme)

*GRA - 24th October 2016*

4/00813/16/FUL - Proposed three bed dwelling and detached garage  
*WDN - 22nd July 2016*

4/00090/13/FHA - Replace existing front garage with a two storey front extension; demolition of conservatory; single storey side extension with part extension to accommodation in roof; construction of double detached garage with new vehicular access onto fox road and clos  
*GRA - 2nd April 2013*

4/00788/12/FHA - Replace existing front garage with larger single storey extension and dormers above; demolition of conservatory; modest single storey side extension with part extension to accommodation in roof; construction of double detached garage with new vehicular ac  
*REF - 13th September 2012*

4/00335/09/FUL - Demolition of existing house and construction of one detached and two semi-detached dwellings with additional access  
*REF - 1st June 2011*

4/01477/99/FHA - Proposed double garage  
*GRA - 7th October 1999*

## **6. CONSTRAINTS**

Chilterns Area of Outstanding Natural Beauty  
CIL Zone: CIL1  
Green Belt  
Parish: Wigginton CP  
RAF Halton and Chenies Zone: Red (10.7m)  
Small Village of Wigginton in the Green Belt  
Parking Standards: New 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 – Small Village in the Green Belt (Wigginton)  
CS10 - Quality of Settlement Design  
CS11 - Quality of Neighbourhood Design  
CS12 - Quality of Site Design  
CS29 - Sustainable Design and Construction

Supplementary Planning Guidance/Documents:

Accessibility Zones for the Application of 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 (2022)

## 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

#### *Policy*

9.2 The site falls within the Metropolitan Green Belt, wherein new development is heavily restricted. Whilst national policy states that Local Planning Authorities should regard the construction of new buildings in the Green Belt as unacceptable, Paragraph 149 of the National Planning Policy Framework (2021) sets out the following exception to this rule: '*e) limited infilling in villages.*'

9.3 Local policy aligns with national policy when defining acceptable development in the Green Belt. Policy CS5 of the Dacorum Borough Core Strategy (2013) states that the Council will apply national Green Belt policy to protect the openness and character of the Green Belt, provided the works have no significant impact on the character and appearance of the countryside and that the works support the rural economy and maintenance of the wider countryside.

9.4 The site falls within the Small Village of Wigginton in the Green Belt and as such, Policy CS6 of the Dacorum Borough Core Strategy (2013) is also relevant. This policy states that, '*b) limited infilling with affordable housing for local people*' is permitted, subject to the works being sympathetic to its surroundings, including the adjoining countryside, in terms of local character, design, scale, landscaping and visual impact and retaining and protecting features essential to the character and appearance of the village.

#### *Assessment*

9.5 Explanatory text preceding Policy CS6 of the Core Strategy (2013) defines infilling as 'a form of development whereby buildings, (most frequently dwellings), are proposed or constructed within a gap along a clearly identifiable built up frontage or within a group of dwellings.' This text goes on to define the term 'limited infilling' as development which does not create two or more dwellings.'

9.6 The proposal is considered to accord with the above criteria, seeking permission for the construction of a single detached dwelling with associated detached garage, sited between properties Hilltop and 1 Fox Close, a built-up frontage along Fox Road. Furthermore, given that the site falls within the Small Village of Wigginton, it is considered that the site can reasonably be considered to fall within the village, therein according with Policy CS5 of the Core Strategy (2013) and the NPPF (2021).

9.7 Whilst Policy CS6 of the Core Strategy (2013) considers limited infilling to be acceptable, this policy notes that there is a requirement for the new development to provide affordable housing for local people.

9.8 The submitted application does not propose the creation of an affordable housing unit. Given that Policy CS6 of the Core Strategy (2013) is inconsistent with the National Planning Policy Framework (2021), the Affordable Housing Supplementary Planning Document (2013) and associated Affordable Housing SPD Clarification Note (2019) were published, providing clarification

on how minor infill schemes within Small Villages in the Green Belt should be assessed. These documents clarify that there is no longer a requirement for infill developments to comprise affordable housing units and that this policy no longer applies.

9.9 In light of everything above and noting that the development is considered to be sympathetic to its surroundings, (by reason of its nature, scale and siting), retaining the visual features essential to the character and appearance of the village, the proposal is considered to accord with Policy CS6 of the Dacorum Borough Core Strategy (2013).

9.10 The proposal is therefore acceptable in principle, amounting to appropriate development in the Green Belt in accordance with Policies CS5 and CS6 of the Core Strategy (2013) and the NPPF (2021).

### Quality of Design / Impact on Visual Amenity and Chilterns AONB

#### *Policy*

9.11 The NPPF (2021) states that planning policies and decisions should ensure that new development should be sympathetic to local character and history, including the surrounding built environment and landscape setting. Furthermore, Policies CS11 and CS12 of the Dacorum Borough Core Strategy (2013) and Saved Appendices 3 and 7 of the Dacorum Borough Local Plan (2004) seek to ensure that new development respects the typical density in the area, enhancing significant views within character areas and respecting adjoining properties in terms of layout, security, site coverage, scale, height, bulk, materials, landscaping and amenity space.

9.12 The site falls within the Chilterns AONB. Policy CS24 of the Core Strategy (2013) and the Chilterns Building Design Guide (2010) both seek to ensure that new development preserves the special qualities of the AONB, and that the scarp slope is protected from development that would have a negative impact on its skyline.

#### *Assessment*

9.13 The application proposes the construction of a new two storey detached dwellinghouse with associated detached front garage and crossover.

9.14 The Parish Council have raised objection to the scheme on the grounds that the development would be inconsistent with the character of the village by reason of its density, access, materials and design.

9.15 The surrounding area is characterised as comprising a variety of dwelling types and styles, and a mixed pattern of development, with the Rothschild Cottages opposite the site comprising a relatively uniform group of attractive terrace properties, Fox Close comprising large detached dwellings fronting a strip of green space, and development along the other side of Fox Road consisting of large, bulky detached properties of mixed architectural styles, design and material finishes (i.e. Hilltop and Plantation House).

9.16 The proposed new dwelling would appear a significant addition to the site by reason of its overall bulk and height. By reason of its scale and siting, (noting that the dwelling would align with the front and rear building lines of neighbouring property Hilltop), it is however considered that the dwelling would assimilate with the existing pattern of development fronting Fox Road, comprising a similar scale hardstanding frontage, front vehicle crossover and detached front garage to properties Hilltop and Plantation House.

9.17 The proposed new dwelling is of simple design incorporating a hipped roof with facing brickwork at ground floor level and render at first floor level. Whilst the dwelling would not comprise the chalet

style bungalow appearance of Hilltop and 1 Fox Road, it is not considered that it would appear out of keeping with the existing character of the streetscene, given that the surrounding area is characterised as comprising dwellings of mixed character, design and material finishes, (i.e. with Plantation House comprising a mix of brick and render finishes with mock Tudor detailing).

9.18 With respect to density, it is noted that the application site is large, (approximately 1600m<sup>2</sup>), with the resulting density of two dwellings on the plot amounting to 12.5 dwellings per hectare. Whilst falling below the expected density range of 30 to 50 dwellings per hectare net set out under Saved Policy 21 of the Dacorum Borough Local Plan (2004), it is felt that the scheme would reflect the low density character of the village, with the plot size ratio being consistent with those of properties within the immediate area.

9.19 Whilst 1 Fox Close would lose its rear garden to facilitate the development, it is not considered that this element of the proposal would be harmful, detracting from the character of the streetscene, given that the front and rear boundaries are significantly screened by way of an existing established hedgerow.

9.20 As part of the development, a new crossover would be created off Fox Road, facilitating vehicular access to and from the new dwelling. Given that this access is proposed between an existing gap in the existing hedgerow/established soft landscaping fronting Fox Road, it is not considered that these works would be harmful visually, in terms of detracting from the character and appearance of the streetscene or wider Small Village of Wigginton.

9.21 Given everything above, it is considered that the development would integrate with the existing streetscene character, preserving the special qualities and character of this part of the Chilterns AONB and Small Village of Wigginton. Furthermore, consideration is also given to the fact that the scheme is identical to that approved under application 4/02093/16/FUL, noting that there have not been any significant policy changes since the determination of this application that would give rise to a different conclusion in respect of design/visual amenity.

9.22 The proposal is therefore acceptable on design/visual amenity grounds and in terms of its impact on the Chilterns ANB, therein according with Policies CS6, CS11, CS12 and CS24 of the Dacorum Borough Core Strategy (2013), the Chilterns Building Design Guidance (2010), Saved Appendices 3 and 7 of the Dacorum Borough Local Plan (2004) and the NPPF (2021).

### Impact on Residential Amenity

#### *Policy*

9.23 The NPPF (2021) outlines the importance of planning in securing good standards of amenity for existing and future occupiers of land and buildings. Policy CS12 of the Core Strategy (2013) states that new development should avoid visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to properties in the surrounding area. Furthermore, Saved Appendix 3 of the Local Plan (2004) states that residential development should be designed and positioned to maintain a satisfactory level of sunlight and daylight for existing and proposed dwellings.

#### *Assessment*

9.24 The proposed new dwelling would share side boundaries with neighbouring properties Hilltop and 1 Fox Close and a side/rear boundary with neighbouring property 2 Fox Close.

#### *Impact on Hilltop*

9.25 Whilst the proposed new dwelling has been designed to generally align with the front and rear elevations of Hilltop, the rear elevation of the proposed new dwelling would project approximately

1m deeper than this property, with the two storey rear projection of the dwelling projecting a further 4m in depth. Taking this into account and noting that the 4m deep rear projection of the new dwelling would be sited approximately 8.5m away from the shared boundary with this neighbouring property, it is not considered that the new dwelling would appear visually intrusive or adversely affect the lighting levels received by this property.

9.26 Given the orientation of the new dwelling and noting that no windows would be sited to the side elevation of the property facing towards neighbouring property Hilltop, it is not considered that the new dwelling could be used to facilitate any harmful overlooking of this neighbouring property.

#### *Impact on 2 Fox Close*

9.27 By reason of its scale and siting, the proposed new dwelling would largely be obscured from view of no. 2 Fox Close, and as such, it is not considered that this property would result in a significant loss of light to this neighbouring property.

9.28 The proposed new dwelling would be sited approximately 14.5m away from the shared boundary with 2 Fox Close. In light of this, it is not considered that the dwelling would appear visually overbearing to this property. Whilst windows on the rear elevation of the new dwelling would facilitate some overlooking of the end of no. 2 Fox Close's rear garden, it is not considered that this overlooking would be of a significantly harmful level to warrant refusal of the scheme, noting that a degree of overlooking is considered to be acceptable between residential properties, and noting that no views of this property's private amenity space would be facilitated.

#### *Impact on 1 Fox Close*

9.29 The proposed new dwelling would be sited within close proximity of the shared boundary with the rear boundary/elevation of no. 1 Fox Close. Whilst the relationship between the property and no. 1 Fox Close is not ideal, given the orientation of the proposed new dwelling and noting that the primary amenity space of no. 1 Fox Close would be accommodated to the side of the site, on balance, it is not considered that the dwelling would be significantly visually intrusive to this property, or that a refusal of the scheme on these grounds could be justified or sustained.

9.30 The submitted plans indicate that the new dwelling would comprise two windows on its side elevation facing towards neighbouring property 1 Fox Close. Whilst it is not considered that the new ground floor level window could be used to facilitate any harmful overlooking of no. 1 Fox Close, (given the nature of existing ground levels and noting that the new opening would be predominantly screened by way of the boundary treatment between the two properties), concerns were raised with respect to the proposed first floor window.

9.31 In order to ensure that the new first floor level window does not result in a significant loss of privacy to no. 1 Fox Close, it is recommended that a condition be attached to the formal planning consent, ensuring that this window is obscure glazed to a minimum of privacy level three and non-opening, (unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed). These arrangements are considered to be reasonable and necessary to preserve the privacy of no. 1 Fox Close. (Given that this window would serve an ensuite bathroom, it is considered that these arrangements would also secure high standards of residential amenity for future occupiers of the new dwelling).

9.32 Given the relationship between 1 Fox Close and the proposed new dwelling, (i.e. noting the staggered orientation of the new dwelling in relation to 1 Fox Close), it is not appropriate to apply the 25 or 45 degree lighting tests to determine whether the sufficient lighting would be received by the nearest habitable window of 1 Fox Close.

9.33 The nearest habitable window of 1 Fox Close is set approximately 1m in from the side elevation of the property, (measuring approximately 2m wide), functioning as the sole opening serving a study. Whilst the submitted plans indicate that the development would likely restrict some daylight received to this opening, given the orientation of the new dwelling and noting that the development does not extend the full width of this opening, the resultant open aspect is considered sufficient to enable sufficient levels of daylight to be received by this opening. Taking this into account and noting that the development remains unchanged from that approved under application 4/02093/16/FUL, (with the relationship between the two properties previously deemed acceptable on light grounds), on balance, the proposal is considered to be acceptable in terms of its impact on the light levels received to this neighbouring property.

#### *Noise and Disturbance*

9.34 With regards to noise and disturbance, it is noted that the site would remain under residential use, (same use as existing). Whilst intensifying the use of the site, it is not considered that the noise levels generated by the development would increase significantly over and above the existing use of the site as a residential garden and as such, it is not considered that the proposal would be harmful on the grounds. The DBC Environmental Health Team were also consulted as part of the application and raised no objections to the works on these grounds.

#### Impact on Highway/Pedestrian Safety and Parking

##### *Policy*

9.35 The NPPF (2021), Policies CS8 and CS12 of the Dacorum Borough Core Strategy (2013), and the Parking Standards Supplementary Planning Document (2020) all seek to ensure that new development provides safe and sufficient parking provision for current and future occupiers.

##### *Assessment*

9.36 The application proposes the construction of a new crossover, facilitating access to and from the dwelling via Fox Close. Whilst intensifying the use of the site, it is not considered that the works would significantly increase vehicle movements, adversely affecting the safety and operation of the existing highway network.

9.37 The Highways Authority were consulted as part of the scheme and subject to conditions and informatives, (requiring suitable visibility splays be provided, arrangements made for surface water to be intercepted from the highway and a Section 278 Agreement being made), have raised no objection to the works, considering the works to be acceptable on highway/pedestrian safety grounds.

9.38 With respect to parking, the submitted plan indicates that three off-street car parking spaces would be provided to the front of the new dwelling, including two spaces in the detached garage and one on the new front hardstanding. Given that the Parking Standards Supplementary Planning Document (2020) states that a three bed dwelling in this location should provide a minimum of 2.25 off-street car parking spaces, it is considered that sufficient parking provision would be provided for future occupiers of the site.

9.39 No changes are proposed to the parking arrangements for property 1 Fox Close, with occupants of this property continuing to utilise the new front garage and hardstanding for the parking of three vehicles. As such, no concerns are raised to the proposal on parking grounds.

## Other Material Planning Considerations

### *Contamination*

9.40 With respect to contamination, the DBC Scientific Officer, (subject to the inclusion of informatives), has raised no objections to the development, considering the works to be acceptable with respect to ground contamination.

### *Trees*

9.41 Saved Policies 99 and 100 of the Dacorum Borough Local Plan (2004) and Policy CS12 of the Core Strategy (2013) all seek to ensure that trees are retained and protected, and that suitable replacement trees are planted in instances where trees are proposed for removal.

9.42 The submitted plans indicate that the tree to the front of the site would be retained, and that measures would be taken during construction to ensure that it is protected. It is recommended that the development is implemented in accordance with the submitted Tree Protection Plan.

### *Amenity Space*

9.43 Saved Appendix 3 of the Dacorum Borough Local Plan (2004) seeks to ensure that new development retains sufficient private amenity space for future occupiers, stating that private gardens should normally be positioned to the rear of the dwelling and have an average minimum depth of 11.5m. For infill developments, this policy does however note that reduced garden depths may be acceptable if they are of equal depths to adjoining properties and of a width, shape and size to ensure that they are functional and compatible with the surrounding area.

9.44 The proposed new dwelling would be served by a wide rear garden, measuring approximately 14.5m at its shortest point and 19m deep at its longest point. This rear garden would exceed the standard set out under Saved Appendix 3 of the Local Plan (2004) and would be compatible with that of neighbouring property Hilltop.

9.45 The proposal would result in the loss of rear garden space for 1 Fox Close, with the property instead comprising a side garden, measuring approximately 14m deep and 14m wide. Whilst not ideal, it is noted that this garden would be well screened from public view by way of the established front and side hedgerow, and would be sufficient in size, width and shape to provide a functional area of private amenity space for 1 Fox Close. On balance, it is therefore considered that sufficient private amenity space would be retained for the new dwelling and no. 1 Fox Close, and as such, a refusal of the scheme on these grounds could not be sustained.

## Response to Neighbour Comments

9.46 Five neighbours have raised objection to the development, raising the following concerns:

- The proposal is unacceptable on design/visual amenity grounds, appearing out of keeping with neighbouring development and detracting from the character and appearance of the village;
- The proposal would have an unacceptable impact on the residential amenity of neighbours, resulting in a significant loss of light, privacy and generating significant noise disturbance;
- The proposal would have an adverse impact on highway/pedestrian safety grounds; and
- The proposal would amount to the overdevelopment of the site.

9.47 The first three reasons of objection have been considered and addressed during earlier sections of the report. Whilst significant in scale, it is not considered that the development would

amount to the overdevelopment of the site, given that the site is considered to be sufficient in scale to accommodate the facilities/amenities required for both a new three bed dwelling and 1 Fox Close, (i.e. retaining sufficient parking and private amenity space).

### Community Infrastructure Levy (CIL)

9.48 Policy CS35 of the Core Strategy (2013) 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 (CIL) was adopted in February 2015 and came into force on 1st July 2015. The application is CIL liable.

### Chilterns Beechwoods Special Area of Conservation

9.49 The planning application is within Zone of Influence of the Chilterns Beechwoods Special Area of Conservation (CBSAC) but is outside the Zone of Exclusion. The Council has a duty under Conservation of Habitats and Species Regulations 2017 (Regulation 63) and Conservation of Habitats and Species (EU exit amendment) Regulations 2019 to protect the CBSAC from harm, including increased recreational pressures.

9.50 The application proposes the conversion of the existing dwellinghouse into four new flats. Given that additional units would be created, it is considered that the proposal would increase recreational pressure on the CBSAC. The applicants will therefore be required to enter into a legal agreement to mitigate any harm to the CBSAC in accordance with the adopted Mitigation Strategy.

## **10. CONCLUSION**

10.1 That planning permission be DELEGATED with a view to APPROVAL subject to an appropriate assessment in accordance with article 6(3) of the Habitats Directive and securing a mitigation package to avoid any further significant effects on the Chilterns Beechwood Special Area of Conservation (SAC) through financial contributions secured by legal agreement.

### **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. Prior to the first occupation of the development hereby permitted a visibility splay measuring 2.4 x 43metres shall be provided to each side of the access where it meets the highway and such splays shall thereafter be retained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.**

Reason: To ensure that the level of visibility for pedestrians, cyclists and vehicles is satisfactory in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

- 3. Prior to the first occupation of the development hereby permitted the vehicular access shall be completed and thereafter retained as shown on drawing number 3158 /3/3 in accordance with details/specifications to be submitted to and approved in writing by the highway authority. Prior to use appropriate arrangements shall be**

**made for surface water to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.**

Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (Adopted 2018).

4. **The mature Oak tree adjacent to the new vehicular access hereby approved and shown for retention on the approved plan shall be retained and shall not be cut down, uprooted or destroyed, without the written approval of the Local Planning Authority. If this tree subsequently dies, a replacement tree of the same species shall be planted in the same location within the next planting season.**

**The development shall be implemented in accordance with the tree protection measures set out in the approved Tree Protection Plan and thereafter retained until completion of the development.**

Reason: In order to ensure that damage does not occur to trees and hedges during building operations in accordance with saved Policy 99 of the Dacorum Borough Local Plan (2004), Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 174 of the National Planning Policy Framework (2021).

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

**3158/3/2**

**3158/3/4**

**3158/1/4**

**3158/3/3A**

**3158/3/1**

**3158/A4/20**

**Tree Protection Plan**

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

#### **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.

2. HIGHWAY INFORMATIVES

HCC as Highway Authority recommends inclusion of the following Advisory Note (AN) / highway informative to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980:

AN 1) Works within the highway (section 278): The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of

the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements.

Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.

AN 2) 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 County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

AN 3) Obstruction of highway: 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 County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

AN 4) Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. 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 and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

### 3. CONTAMINATED LAND

#### Contaminated Land Informative 1:

In the event that contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority with all works temporarily suspended until a remediation method statement has been agreed. This is because the safe development and secure occupancy of the site lies with the developer.

#### Contaminated Land Informative 2:

Materials or conditions that may be encountered at the site and which could indicate the presence of contamination include, but are not limited to: Soils that are malodorous, for example a fuel odour or solvent-type odour, discoloured soils, soils containing man-made objects such as paint cans, oil/chemical drums, vehicle or machinery parts etc., or fragments of asbestos or potentially asbestos containing materials. If any other material is encountered that causes doubt, or which is significantly different from the expected ground conditions advice should be sought.

#### 4. ENVIRONMENTAL HEALTH INFORMATIVES

##### Working Hours Informative

Contractors and sub-contractors must have regard to BS 5228-2:2009 "Code of Practice for Noise Control on Construction and Open Sites" and the Control of Pollution Act 1974.

As a guideline, the following hours for noisy works and/or deliveries should be observed: Monday to Friday, 7.30am to 5:30pm, Saturday, 8am to 1pm, Sunday and bank holidays - no noisy work allowed.

Where permission is sought for works to be carried out outside the hours stated, applications in writing must be made with at least seven days' notice to Environmental and Community Protection Team [ecp@dacorum.gov.uk](mailto:ecp@dacorum.gov.uk) or The Forum, Marlowes, Hemel Hempstead, HP1 1DN. Local residents that may be affected by the work shall also be notified in writing, after approval is received from the LPA or Environmental Health.

Works audible at the site boundary outside these hours may result in the service of a Notice restricting the hours as above. Breach of the notice may result in prosecution and an unlimited fine and/or six months imprisonment.

##### Construction Dust Informative

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.

##### Waste Management Informative

Under no circumstances should waste produced from construction work be incinerated on site. This includes but is not limited to pallet stretch wrap, used bulk bags, building materials, product of demolition and so on. Suitable waste management should be in place to reduce, reuse, recover or recycle waste product on site, or dispose of appropriately.

##### Air Quality Informative

As an authority we are looking for all development to support sustainable travel and air quality improvements as required by the NPPF. We are looking to minimise the cumulative impact on local air quality that ongoing development has, rather than looking at significance. This is also being encouraged by DEFRA.

As a result as part of the planning application I would recommend that the applicant be asked to propose what measures they can take as part of this new development, to support

sustainable travel and air quality improvements. These measures may be conditioned through the planning consent if the proposals are acceptable.

A key theme of the NPPF is that developments should enable future occupiers to make "green" vehicle choices and (paragraph 35) "incorporates facilities for charging plug-in and other ultra-low emission vehicles". Therefore an electric vehicle recharging provision rate of 1 vehicle charging point per 10 spaces (unallocated parking) is expected. To prepare for increased demand in future years, appropriate cable provision should be included in the scheme design and development, in agreement with the local authority.

Please note that with regard to EV charging for residential units with dedicated parking, we are not talking about physical charging points in all units but the capacity to install one. The cost of installing appropriate trunking/ducting and a dedicated fuse at the point of build is miniscule, compared to the cost of retrofitting an EV charging unit after the fact, without the relevant base work in place.

In addition, mitigation in regards to NOx emissions should be addressed in that all gas fired boilers to meet a minimum standard of 40 mg NOx/Kwh or consideration of alternative heat sources.

#### Invasive and Injurious Weeds – Informative

Weeds such as Japanese Knotweed, Giant Hogweed and Ragwort are having a detrimental impact on our environment and may injure livestock. Land owners must not plant or otherwise cause to grow in the wild any plant listed on schedule 9 of the Wildlife and Countryside Act 1981. Developers and land owners should therefore undertake an invasive weeds survey before development commences and take the steps necessary to avoid weed spread. Further advice can be obtained from the Environment Agency website at <https://www.gov.uk/japanese-knotweed-giant-hogweed-and-other-invasive-plants>

## APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Natural England	<p>INITIAL COMMENTS</p> <p>NATURAL ENGLAND'S ADVICE OBJECTION - FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON DESIGNATED SITES - DEVELOPMENT WITHIN 12.6 KILOMETRES OF CHILTERN'S BEECHWOODS SPECIAL AREA OF CONSERVATION (SAC) WITHIN 12.6 KILOMETRES</p> <p>Between 500 metres to 12.6km from Chilterns Beechwoods SAC, a Habitats Regulations Assessment is required to determine Likely Significant Effect. Mitigation measures will be necessary to rule out adverse effects on integrity:</p> <ul style="list-style-type: none"> <li>• Provision of Suitable Alternative Natural Greenspace (SANG) or financial contributions towards a strategic SANG.</li> <li>• Financial contributions towards the Strategic Access Management and Monitoring (SAMM) strategy.</li> </ul>

	<p>Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation. Please re-consult Natural England once this information has been obtained.</p> <p><b>FURTHER COMMENTS (FOLLOWING RECONSULTATION)</b></p> <p>Natural England has previously commented on this proposal and made comments to the authority in our response dated 22 March 2023, reference number 426623.</p> <p>The advice provided in our previous response applies equally to this amendment. The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.</p> <p>Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending us the amended consultation, please assess whether the changes proposed will materially affect any of the advice we have previously offered. If they are unlikely to do so, please do not re-consult us.</p>
Wigginton Parish Council	<p><b>INITIAL COMMENTS</b></p> <p>The Council objected to this planning application due to the application being inconsistent with the village scene in terms of density, access, materials and design.</p> <p><b>FURTHER COMMENTS (FOLLOWING RECONSULTATION)</b></p> <p>Objection - The PC cited the fundamental issues around the impact of the proposal on amenity in the village. The location of the house and particularly the garage close to the road compromises the principle of the adjoining properties in Fox Close, both in terms of the existing layout on the western side of Fox Road and the Rothschild cottages opposite. The fundamental principle of the layout of Fox Close (and elsewhere in the village, The Firs) was to position houses well back from the sightline from the road, minimising the impact on the village scene. This infill fails that principle and therefore compromises the appearance of this Chiltern Hill-top Village.</p>
Thames Water	<p>Thank you for consulting us on this application. At this stage we have no comments to make.</p>
Hertfordshire Highways (HCC)	<p><b>INITIAL COMMENTS</b></p> <p>Recommendation</p>

Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:

1) Provision of Visibility Splays - Dimensioned in Condition

Prior to the first occupation of the development hereby permitted a visibility splay measuring 2.4 x 43metres shall be provided to each side of the access where it meets the highway and such splays shall thereafter be retained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

Reason: To ensure that the level of visibility for pedestrians, cyclists and vehicles is satisfactory in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

2) Prior to the first occupation of the development hereby permitted the vehicular access shall be completed and thereafter retained as shown on drawing number 3158 /3/3 in accordance with details/specifications to be submitted to and approved in writing by the highway authority. Prior to use appropriate arrangements shall be made for surface water to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

Highway Informatives

HCC as Highway Authority recommends inclusion of the following Advisory Note (AN) / highway informative to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980:

AN 1) Works within the highway (section 278): The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the County Council website at:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.

AN 2) 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 County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

AN 3) Obstruction of highway: 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 County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

AN 4) Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. 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 and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

#### Comments

The proposal is for the construction of a new dwelling with crossover at 1 Fox Close, Wigginton, Tring. Fox Close is a 30 mph classified C local distributor route that is highway maintainable at public expense.

#### Highway Matters

The existing dwelling has an access onto Fox close which is a private route. The planning application states that where the proposed access to the new dwelling is located, is an existing access. However, as of 2010 no access was in this location and there is currently no hardstanding to accommodate any vehicles from this access only grassland consisting of the rear garden. Therefore, it is considered by HCC Highways that this "access" has never been in use as a vehicle access for the dwelling. The area fronting this proposed access is part of the adopted highway network and therefore any works to this access to make it formal would need to be completed under a section 278 agreement - please see informative 1. There has not been any visibility splays illustrated for the new access and therefore HCC Highways has included condition 2. Vehicles are able to turn on site which is considered appropriate for the new dwellings location. Parking is a matter for the Local Planning Authority and therefore any parking arrangements need to be agreed by them.

The new dwelling will be located in walking distance of the village shop and a pub. However, overall the location is not considered overly sustainable in terms of transport. In terms of the site being a single dwelling and it is located in a residential area, this is not considered to impact HCC Highways overall recommendation.

#### Drainage

The proposed new driveway would need to make adequate provision for drainage on site to ensure that surface water does not discharge onto the highway. Surface water from the new driveway would need to be collected and disposed of on site.

#### Refuse / Waste Collection

Provision would need to be made for an on-site bin-refuse store within 30m of the new dwelling and within 25m of the kerbside/bin collection point. The collection method must be confirmed as acceptable by DBC waste management.

#### Emergency Vehicle Access

The proposed dwelling is within the recommended emergency vehicle access of 45 metres from the highway to all parts of the buildings. This is in accordance with the guidance in 'MfS', 'Roads in Hertfordshire; A Design Guide' and 'Building Regulations 2010.

#### Conclusion

HCC has no objections or further comments on highway grounds to the proposed development, subject to the inclusion of the above highway

	<p>informative (in relation to entering into a Section 278 Agreement) and conditions.</p> <p>COMMENTS UNCHANGED FOLLOWING RECONSULTATION</p>
Trees & Woodlands	<p>According to the information submitted no trees of significant landscape value or amenity will be detrimentally affected by the development. Subsequently I have no objections to the application being approved.</p>
Environmental And Community Protection (DBC)	<p>ENVIRONMENTAL HEALTH</p> <p>With reference to the above planning application, please be advised Environmental Health would have no objections or concerns re noise, odour or air quality. However I would recommend the application is subject to informatives for waste management, construction working hours with Best Practical Means for dust, air quality and Invasive and Injurious Weeds which we respectfully request to be included in the decision notice.</p> <p>Working Hours Informative Contractors and sub-contractors must have regard to BS 5228-2:2009 "Code of Practice for Noise Control on Construction and Open Sites" and the Control of Pollution Act 1974.</p> <p>As a guideline, the following hours for noisy works and/or deliveries should be observed: Monday to Friday, 7.30am to 5:30pm, Saturday, 8am to 1pm, Sunday and bank holidays - no noisy work allowed.</p> <p>Where permission is sought for works to be carried out outside the hours stated, applications in writing must be made with at least seven days' notice to Environmental and Community Protection Team <a href="mailto:ecp@dacorum.gov.uk">ecp@dacorum.gov.uk</a> or The Forum, Marlowes, Hemel Hempstead, HP1 1DN. Local residents that may be affected by the work shall also be notified in writing, after approval is received from the LPA or Environmental Health.</p> <p>Works audible at the site boundary outside these hours may result in the service of a Notice restricting the hours as above. Breach of the notice may result in prosecution and an unlimited fine and/or six months imprisonment.</p> <p>Construction Dust Informative 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</p>

partnership by the Greater London Authority and London Councils.

#### Waste Management Informative

Under no circumstances should waste produced from construction work be incinerated on site. This includes but is not limited to pallet stretch wrap, used bulk bags, building materials, product of demolition and so on. Suitable waste management should be in place to reduce, reuse, recover or recycle waste product on site, or dispose of appropriately.

#### Air Quality Informative

As an authority we are looking for all development to support sustainable travel and air quality improvements as required by the NPPF. We are looking to minimise the cumulative impact on local air quality that ongoing development has, rather than looking at significance. This is also being encouraged by DEFRA.

As a result as part of the planning application I would recommend that the applicant be asked to propose what measures they can take as part of this new development, to support sustainable travel and air quality improvements. These measures may be conditioned through the planning consent if the proposals are acceptable.

A key theme of the NPPF is that developments should enable future occupiers to make "green" vehicle choices and (paragraph 35) "incorporates facilities for charging plug-in and other ultra-low emission vehicles". Therefore an electric vehicle recharging provision rate of 1 vehicle charging point per 10 spaces (unallocated parking) is expected. To prepare for increased demand in future years, appropriate cable provision should be included in the scheme design and development, in agreement with the local authority.

Please note that with regard to EV charging for residential units with dedicated parking, we are not talking about physical charging points in all units but the capacity to install one. The cost of installing appropriate trunking/ducting and a dedicated fuse at the point of build is miniscule, compared to the cost of retrofitting an EV charging unit after the fact, without the relevant base work in place.

In addition, mitigation in regards to NOx emissions should be addressed in that all gas fired boilers to meet a minimum standard of 40 mg NOx/Kwh or consideration of alternative heat sources.

#### Invasive and Injurious Weeds - Informative

Weeds such as Japanese Knotweed, Giant Hogweed and Ragwort are having a detrimental impact on our environment and may injure livestock. Land owners must not plant or otherwise cause to grow in the wild any plant listed on schedule 9 of the Wildlife and Countryside

Act 1981. Developers and land owners should therefore undertake an invasive weeds survey before development commences and take the steps necessary to avoid weed spread. Further advice can be obtained from the Environment Agency website at <https://www.gov.uk/japanese-knotweed-giant-hogweed-and-other-invasive-plants>

#### CONTAMINATED LAND

Having reviewed the planning application and considered the information held by the ECP Team in relation to the application site I am able to confirm that there is no objection to the proposed development and no requirement for land contamination planning conditions to be imposed in the event that permission is granted.

However, because the proposal is for a new dwelling it is recommended that the following informatives are included on the Decision Notice. This advice is consistent with that provided when previously consulted.

##### Contaminated Land Informative 1:

In the event that ground contamination is suspected or encountered at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority (LPA) with all works temporarily suspended until a remediation method statement has been agreed. This is because the safe development and secure occupancy of the site lies with the developer.

##### Contaminated Land Informative 2:

Materials or conditions that may be encountered at the site and which could indicate the presence of contamination include, but are not limited to: Soils that are malodorous, for example a fuel odour or solvent-type odour, discoloured soils, soils containing man-made objects such as paint cans, oil/chemical drums, vehicle or machinery parts etc., or fragments of asbestos or potentially asbestos containing materials. If any other material is encountered that causes doubt, or which is significantly different from the expected ground conditions advice should be sought and the LPA informed.

## APPENDIX B: NEIGHBOUR RESPONSES

### Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
8	5	0	5	0

### Neighbour Responses

Address	Comments
Silverdene 10 Fox Close Wigginton Tring Hertfordshire HP23 6ED	<p>This proposed development which is just garden infilling is not remotely in keeping with the surrounding chalet style houses of Fox close and neighbouring Hilltop, nor is it in keeping with the Rothschild House cottages along Fox Road.</p> <p>This development and the proposed alterations to the other property on the site are too big for the land available and detract from the character of this area of the village with no features that are in keeping with the area.</p> <p>There will be significant loss of green space, loss of privacy to Hilltop and Number 2 Fox Close.</p> <p>The crossover access plans have poor visibility to the main road and cars exiting Fox Close. There is insufficient sighting for vehicle access and cars approaching from Fox Road. The site will look cramped and overdeveloped with unnecessary loss of garden.</p> <p>Number 1 Fox Close was originally planned to be set away from the Rothschild cottages so as not to detract from their character. This is a significant, ugly change to the site.</p>
89 Fox Road Wigginton Tring Hertfordshire HP23 6EE	<p>We object to this application as follows:</p> <p>This development does not meet any local need of the village or adjoining countryside, is not sympathetic to its surroundings and will constitute overdevelopment of the site. We question whether it fits within the current overall plan for the villages.</p> <p>Fox Road is already full of houses either terrace or in close proximity. In addition, the actual site will move from one pleasing unit to two very close together and cramped. In addition, Hilltop (neighbour) will be overlooked losing privacy and an increase in noise; we understand that the building has been rotated from the previous orientation, with detrimental impact on the next door house, Hilltop.</p> <p>The design of the front elevation facing Fox Road, opposite the Rothschild cottages, is detrimental to the overall context of the road. Currently there are two types of house on this stretch: the historic Victorian Rothschild terraces, and Fox Close where the houses are of an overall design.</p>

	<p>Finally, it appears there will be another exit onto Fox Road very near the exit to Fox Close which will bring an added hazard onto what is already an over busy road, with industrial and agricultural traffic where speed limits are regularly broken. The police have recorded speeds of over 70 MPH on this 30 MPH road.</p>
<p>Two Ways Fox Road Wigginton Tring Hertfordshire HP23 6EE</p>	<p>I object to this application as follows:</p> <p>This development does not meet any local need of the village or adjoining countryside, is not sympathetic to its surroundings and will constitute overdevelopment of the site. For these reasons I believe it should not have been approved in 2016 and should not be approved now. I believe it got through on the loophole to policy CS6 provided by the Affordable Housing SPD Clarification which allowed open market infill development of 5 houses or less in the hilltop AONB villages.</p> <p>The positioning has been altered compared to the 2016 proposal to set the frontage back a little more from Fox Road resulting in a very cramped layout on the site. It would set an undesirable precedent of overdevelopment in this immediate area, is very close to Hilltop and the shape of the plot and positioning of the house on it is very awkward with adverse effects on privacy.</p> <p>The front elevation facing Fox Road, almost opposite the Rothschild cottages, is not sympathetic with those cottages or in keeping with Hilltop or the properties in Fox Close. Despite the altered positioning the elevation will still be prominent and not sympathetic to its surroundings in terms of local character design, scale, landscaping or visual Impact.</p>
<p>Hilltop Fox Road Wigginton Tring Hertfordshire HP23 6EE</p>	<p>INITIAL COMMENTS</p> <p>I have lived at Hilltop Fox Road immediately adjoining the above address for some 28 years and write with reference to the proposed development to record my objection to the plans. I registered little or no disquiet at the adjacent developments over the years at St Mary Cross Close and at 96 Fox Road, both of which have enhanced the neighbourhood, and so cannot be considered a 'serial objector.' I do however, feel that this proposal to site a three bedroom house in a very small space is wholly inappropriate.</p> <p>1. The construction of a new three bedroom detached dwelling contradicts without exception every constraint identified in Policy CS6 of the Core Strategy adopted 25<sup>th</sup> September 2013. For convenience, I have reproduced it in full below: Within Chipperfield, Flamstead, Potten End and Wigginton the following will be permitted: (a) the replacement of existing buildings; (b) limited infilling with affordable housing for local people; (c) conversion of houses into flats; (d) house extensions; (e) development for uses closely related to agriculture, forestry and open air recreation, which cannot reasonably be accommodated elsewhere; and (f) local facilities to meet the needs of the village.</p> <p>Each development must: i. be sympathetic to its surroundings, including the adjoining countryside, in terms of local character, design,</p>

scale, landscaping and visual impact; and ii. retain and protect features essential to the character and appearance of the village.

Although the restrictions relating to Affordable housing have been relaxed, the remaining grounds clearly demonstrate the overwhelming case for refusal.

2. You will be aware that consideration of this application is subject to several precedents:

- The previous owner applied for permission to build a bungalow which was refused;
- 2009 – the present owners applied for permission to demolish the existing house and build three houses on the site, again refused.
- 2013 – application for an entrance from Fox Road and construction of a double garage was approved, despite significant objections from neighbours and Parish Council. The proposal made little sense, other than to facilitate a subsequent application to develop the site further. The entrance was eventually knocked through in 2014 leaving a gaping hole in the hedge with unsightly temporary fencing ever since. The garage was never constructed, other than some footings hastily dug, despite its appearance on the Ordinance Survey. Permission for this has presumably lapsed.
- March 2016 – application to construct a new three bedroom dwelling withdrawn due to overlooking Hilltop (see 4 below).
- August 2013 – application for three bedroom dwelling approved parallel to Hilltop approved now lapsed.

3. No consideration is evident in respect of the shared drain which became a Public Sewer under the 2011 Act, and which runs through the property. The drainage plan assumes that the current drain run serves 1 Fox Close only whereas in fact it served both Plantation House and Hilltop, running across my property and into the current marked run through 1 Fox Close. Other properties may also be affected and resolving this would cause major disruption to the facility.

4. The Design and Access statement asserts that the dwelling has been previously approved. However, this proposal differs markedly from the 2016 original in that the building is rotated by some 15 degrees such that the rear of the house directly overlooks my garden leading to even greater loss of privacy than before, particularly from the upstairs windows. The March 2016 (4/00813/16/FUL) application was withdrawn for this reason, qv the summary presented by the planning officer to the DBC Planning Committee in August 2016, 'Concerns have been raised in connection with noise and disturbance and overlooking of the rear garden of Hilltop. The dwelling has been repositioned so that it has the same orientation as Hilltop, thereby ensuring that there would be no direct overlooking of this garden.'

5. The proposed dwelling also overlooks the existing properties at 1 and 2 Fox Close which would be detrimental to the privacy of future owners.

6. 1 Fox Close was originally built some distance from Fox Road, and further back from the road than other Fox Close properties, to avoid the functional design of the Fox Close houses detracting from the more

	<p>aesthetic Rothschild cottages opposite. The proposed design both brings forward the line of the buildings to the detriment of this concept and introduces a new design out of character with both adjacent properties with the village overall.</p> <p>7. The proposed development is too close to both Hilltop and to the existing house on the site, using only a third of the plot, leading to unacceptable congestion, increased noise levels, lack of privacy due to the adjoining terrace, and loss of light. The scheme would no doubt be subject to the regulations framed in the Party Wall Act 1996.</p> <p>8. The root protection proposal is an improvement to the original plan and would need careful policing, but the construction of a double garage and driveway remains detrimental to existing sight lines. The proposal is misconceived and should be rejected.</p> <p><b>FURTHER COMMENTS</b></p> <p>The amended proposal now reverts to the 2015 plan whereby the house aligns with Hilltop. My other objections to this flawed and ugly development remain as previously reported, the proximity of the adjoining terrace and resulting loss of privacy to our own being of particular concern. Prospective purchasers of the new house and of 1 Fox Close would no doubt draw their own conclusions with respect to the resulting layout.</p>
<p>Hilltop Fox Road Wigginton Tring Hertfordshire HP23 6EE</p>	<p>It is worrying that there has been so much rejigging of this plan over the years in order to try to make it fit in the space. It has never met with local approval so far as I know. and has been called opportunistic. The house would be far too close to other properties, especially Hilltop and look very squeezed in and intrusive, especially when you consider the vision of the original planning so as not to detract from the lovely old Rothschild houses opposite. It would sit very awkwardly in that space.</p> <p>There is also concern about the main sewers which drain from a number of houses across the garden. There is the worry, as well, over damage to Hilltop's foundation, smoke from the very low chimney and new soak aways beside Hilltop's wall. Also loss of afternoon sunlight from Hilltop's front garden. The loss of privacy and increased noise levels are a major concern to Hilltop, which is greatly affected by this proposal.</p> <p>Please refuse this ill-conceived and intrusive application.</p>