

**5c 3/11/1559/FP - Erection of replacement dwelling as amendment to previous planning approval Ref: 3/07/1789/FP at The Manor House, Aspenden Road, Westmill, Buntingford, Herts , SG9 9LA for Mr and Mrs D Catherall**

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**Date of Receipt:** 05.09.2011

**Type:** Full – Major

**Parish:** ASPENDEN

**Ward:** MUNDENS AND COTTERED

**RECOMMENDATION:**

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

1. Three year time limit (1T12)
2. Approved Plans (2E10): “H2018.100; H2018.200; H2018.201; H2018.202 H2018.203; H2018.204; H2018.205; H2018.206; H2018.207”
3. Samples of materials (2E12)
4. Withdrawal of PD Rights (Part 1 Class A) (2E20)
5. Withdrawal of PD Rights (Part 1 Class E) (2E21)
6. Tree retention and protection (4P05)
7. Tree/natural feature protection: fencing (4P07)
8. Tree protection: restrictions on burning (4P08)
9. Tree protection: excavations (4P09)
10. Tree protection: earthworks (4P10)
11. Landscape design proposals (4P12) (b, e, i, k, l)
12. Landscape works implementation (4P13)

**Directive:**

1. Other Legislation (01OL)

**Summary of Reasons for Decision**

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The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and the saved policies of the East Herts Local Plan Second Review April 2007), and in particular policies GBC3, HSG8, ENV1, ENV2, and ENV11. The balance of the considerations having regard to those policies and the previous approval 3/07/1789/FP is that permission should be granted.

\_\_\_\_\_ (155911FP.SD)

### **1.0 Background:**

- 1.1 The application site is shown on the attached OS extract. It has an area of 1.04 hectares and is situated within an isolated rural location, elevated above the public highway, in the Rural Area beyond the Green Belt to the western side of Aspenden Road between the villages of Westmill to the south and Aspenden to the north. The frontage of the site along Aspenden Road is characterised by an established mature woodland tree screen.
- 1.2 Further into the site along the access drive is a substantial area of historic woodland planting with established mature trees and hedgerows along the north and southern boundaries of the site.
- 1.3 The site is vacant at present except for a modern brick garage erected on the site as commencement of the previously approved replacement dwelling scheme. The Manor House originally on the site was a two storey building used as a former isolation hospital in the mid 19<sup>th</sup> century. Although much of the former hospital complex was removed in the 1850's there remained a former ward building converted to a dwelling, surrounded by a significant amount of outbuildings, hard surfacing and other signs of operational development.
- 1.4 All structures, including outbuildings, extensive areas of concrete hard surfacing and the dwelling conversion have all been fully demolished and the spoil removed from the site following planning approval in 2007. A brick garage is located on the north eastern side of the site, adjacent to the drive. This was constructed in March 2008 to commence the extant planning permission for a replacement dwelling and garage ref: 3/07/1789/FP.
- 1.5 The current application seeks permission for the construction of a replacement two storey dwelling of similar style and proportions to the previous planning approval ref: 3/07/1789/FP but to include a basement with side and rear light well extensions; ground floor light well screens;

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roof lights; a rear balcony at first floor; glass walkway to rear; minor fenestration elevational alterations to the rear elevation and an increase in the ridge height of the building of approximately 1.0m.

### **2.0 Site History:**

- 2.1 Until the mid 1850's the site was used for a former isolation hospital complex. The scale of the complex was then reduced and a former Tudor style ward building was converted to a single dwelling, with significant derelict and dilapidated outbuildings with areas of hard standing left to the west of the site, the property eventually becoming vacant in 2005. In 2007 an application for a replacement dwelling, and garages ref: 3/07/0022/FP was submitted but subsequently withdrawn by the applicant.
- 2.2 Later in 2007, a further application ref:3/07/1789/FP was submitted for a more modest replacement dwelling, including the demolition of all the operational buildings and concrete hard surfacing associated with the former hospital and approved by committee on the 12 December 2007.
- 2.3 The planning permission was commenced in March 2008, with the demolition of the buildings; the full clearance of the site and the construction of the garage as part of the approved scheme. However, until the new owners bought the site recently there has been no other construction work.

### **3.0 Consultation Responses:**

- 3.1 County Highways do not wish to restrict the grant of permission, the application for amendments to the previously approved replacement house design is acceptable in a highway context.
- 3.2 Veolia Water comment that as the site is within the ground water protection zone (SPZ) of Standon Pumping Station, all construction work should be carried out in accordance with relevant British Standards and Best Management Practices thereby significantly reducing groundwater pollution risk.
- 3.3 Environmental Health has no objections.
- 3.4 Landscape Section have made no comments on the proposal

### **4.0 Parish Council Representations:**

- 4.1 Aspenden Parish Council have made no comments on the proposal.

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### **5.0 Other Representations:**

- 5.1 The application has been advertised by way of press notice, site notice and neighbour notification.
- 5.2 No letters of representation have been received.

### **6.0 Policy:**

- 6.1 The relevant 'saved' Local Plan policies in this application include the following:

GBC3	Rural area Beyond the Green Belt
HSG8	Replacement dwellings in the Green Belt and Rural Area beyond the Green Belt
ENV1	Design and Environmental Quality
ENV2	Landscaping
ENV11	Protection of Existing Hedgerows and Trees

### **7.0 Considerations:**

- 7.1 The main determining issue in this case relates to whether the proposal complies with policies GBC3 and HSG8 of the Local Plan giving appropriate weight and consideration to the previous planning approval ref: 3/07/1789/FP and the impact of the proposed development on the rural locality.
- 7.2 The applicants have submitted a copy of the detailed supporting statement and technical structural report by an Independent Surveyor that was submitted in 2007 as part of the previous approval, demonstrating that the existing dwelling was not capable of retention, due to the level of deterioration of the structural integrity of the vacant dwelling on the site at that time.
- 7.3 Policy HSG8 indicates that replacement dwellings within the Rural Area beyond the Green Belt will be permitted where the dwelling to be replaced has a lawful residential use. Although the dwelling on the application site had been vacant for a while before it was demolished it was clearly established as a residential dwelling and had been occupied as such for a considerable period prior to its subsequent vacancy.
- 7.4 The previous planning approval ref: 3/07/1789/FP for a two storey oak framed traditional replacement dwelling with detached garage, has established the principle of a replacement dwelling on the site. The 2007 planning approval was commenced in March of 2008 with the full demolition of all the agreed structures, hard standing and the vacant

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dwelling on the site, followed by the construction of the garage subject of the approval. That permission therefore remains extant and is a material consideration of significant weight in this case.

- 7.5 Policy HSG8 also indicates that replacement dwellings will only be acceptable where the volume of the new dwelling is not materially larger than the existing, nor that the new dwelling is visually more intrusive than the dwelling it replaces, plus any expended permitted development rights.
- 7.6 In this case, the original dwelling had a volume of 768.0 cubic metres, with 1,628.0 cubic metres of former hospital operational structures, outbuildings and sheds, with a further 1,340sqm of concrete hard standing as part of the site.
- 7.7 The previously approved replacement dwelling created 1,325.0 cubic metres of development on the site with a basement of 600.0 cubic metres, with all of the former operational hospital structures (1,628.0 cubic metres) and all the concrete hardstanding (1,340.0cubic metres) demolished and cleared from the site. The approved replacement dwelling amounted to a 72.6% increase over the original dwelling, due largely to the increase in the height of the roof to enable the insertion of a full rather than partial first floor.
- 7.8 It was considered at that time that the removal of the eight unsightly outbuildings and the concrete hard standing, would significantly benefit the appearance, character and rural setting of the site. These considerations were felt sufficient to justify the 72.6% increase in development over the original dwelling and warrant a departure from Rural Area policy.
- 7.9 The current proposal for a replacement dwelling largely follows the form, scale, and design of the previously approved proposal ref: 3/07/1789/FP apart from a modest increase of approximately 1.0m to the ridge height. The proposed development would constitute a single dwelling principally on the same footprint as previously approved, with amendments to provide a rear balcony at first floor; the provision of additional accommodation of a relocated 4<sup>th</sup> bedroom and office space within the roof void; fenestration alterations with rooflights; the re-modelling of the rear elevation with the extension of the basement area providing a rear and side lightwell extending the leisure facilities previously approved.
- 7.10 In terms of the increased footprint of the proposed development when compared to the extant permission ref: 3/07/1789/FP, there is a minor footprint increase over the previously approved replacement dwelling

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scheme from 261sqm to 268sqm. In terms of the increase floor area this increases from 718sqm to 805 sqm. However in terms of volume, the present proposal would be a reduction in volume, from 1,325.0 cubic metres to 1,304.0 cubic metres.

- 7.11 The proposed basement provides additional development in the form of the light wells and minor extensions for the gym and the pool plant room, amounting to an increase of approximately 54sqm, which, although quite minimal, is a material consideration in relation to policies GBC3 and HSG8.
- 7.12 The proposed replacement dwelling scheme as amended, is not otherwise substantially altered. The front elevation, form, materials of construction and general aspect remains as the previously approved scheme and the changes to the rear elevation produce a more balanced, consistent and sympathetic design offering a building of a simple traditional character and appearance within the landscaped rural locality.
- 7.13 The proposed modest alterations/ amendments make better use of the available space than the extant permission design, changing the internal layout and managing the roof space to provide office space with a relocated 4<sup>th</sup> bedroom without adding a greater volume than that proposed in the extant replacement dwelling proposal ref: 3/07/1789/FP.
- 7.14 The provision of the open light well element would not significantly add to the volume overall and would, in the officer's opinion have no significant visual impact on the openness of the rural area, being below ground.
- 7.15 On balance, it is considered that the proposed replacement dwelling within this mature landscaped would still constitute an overall improvement to the visual character of the area. These circumstances are sufficient to justify the modest increase in development at basement level of 54sqm, and the increased height of approximately 1.0m, without compromising the rural character and appearance of the surrounding area.

#### Neighbour amenity

- 7.16 The current proposal will have no adverse impact on the adjacent residential property to the north. Originally a barn that was part of the former hospital complex of buildings, it was sold off with a plot of land and granted planning permission for conversion to a residential dwelling in 1980. The dwelling on this adjacent site is a detached chalet dwelling of a modern construction in a similar elevated position to the Manor House but, unlike the application site, it is of a totally exposed character

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devoid of any landscaping and limited vegetation.

- 7.17 The application site abuts the shared southern boundary of the adjacent dwelling and is heavily screened by an established area of mature woodland. The replacement dwelling, will enjoy a similar aspect as the original property with only limited long views of the roof of the new dwelling being seen from a distance along the public highway on approach from Aspenden.
- 7.18 The location of the new replacement dwelling within this woodland setting provides natural screening to the two dwellings and the proposal is unlikely therefore to result in significant harm to the neighbour's outlook, privacy or daylight.
- 7.19 Officers consider that the scale, design and detailing of the new dwelling are also appropriate for this rural location.

### **8.0 Conclusion:**

- 8.1 Officer's consider that the proposed replacement dwelling, as an amended scheme to the previous approval ref: 3/07/1789/FP, is acceptable in terms of its siting, design, scale, character and appearance and would not adversely impact upon the rural character and appearance of the area.
- 8.2 Furthermore, there would be no unacceptable impact on neighbour amenity or landscaping. It is therefore recommended that planning permission be granted subject to the conditions outlined at the start of the report.