

5j 3/10/1851/FP – Erection of 1 three bed dwelling at The Walled Garden, High Wych Lane, High Wych, for Mr K Miles

Date of Receipt: 23.11.10

Type: Full – Minor

Parish: HIGH WYCH

Ward: MUCH HADHAM

RECOMMENDATION

That planning permission be **REFUSED** for the following reasons:

1. The application site lies within the Metropolitan Green Belt as defined in the East Hertfordshire Local Plan wherein permission will not be given except in very special circumstances for development for purposes other than those required for mineral extraction, agriculture, small scale facilities for participatory sport and recreation or other uses appropriate to a rural area. No such special circumstances are apparent in this case, and the proposal would therefore be contrary to policy GBC1 of the East Herts Local Plan Second Review April 2007.
2. The proposed development by reason of its size, siting and design would be detrimental to the setting of the adjacent Grade II Listed Building known as 'The Manor of Groves'. The proposed development would therefore be contrary to PPS5: Planning for the Historic Environment.

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1.0 Background

- 1.1 The application site is shown on the attached OS extract.
- 1.2 The site is situated to the north west of the main area of the settlement of High Wych and is located within the Metropolitan Green Belt, as defined in the Local Plan.
- 1.3 The area immediately surrounding the application site comprises of a Grade II Listed hotel and associated buildings known as The Manor of Groves. The site is relatively flat; is encompassed by a curtilage listed brick wall and covers an area of 00.25 hectares which is mostly undeveloped grassed land. To the north, west and east of the site is a golf course used in conjunction with the hotel. The nearest residential dwellings are sited over 95 metres to the south of the application site.

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- 1.4 The proposal is for the erection of a three bedroom dwelling with an attached garage. The proposed 1½ storey dwelling would not be located within the existing walled boundary but sited to the front of it, retaining 18 metres to the edge of the highway. The proposed dwelling would reach a maximum roof ridge height of 6.8 metres with a chimney height of 8 metres. The dwellinghouse would have a width of 19.1 metres and a maximum length of 20.5 metres, with a double integral garage to the front of the dwelling to form an 'L' shape. The dwelling has been designed with 2 gable ends at the front and a total of 3 dormer windows would be inserted in the side elevations of the property. The proposed dwelling would provide 3 bedrooms on the first floor and a kitchen, living room, dining room, family room, orangery and bathroom on the ground floor. To the front of the site would be a large area of hardstanding for several vehicles. A new vehicular entrance with gates is also proposed.
- 1.5 The application is referred to the committee at the request of Councillor M G Carver.

2.0 Site History

- 2.1 In 1997 listed building consent submitted under LPA reference 3/97/0147/LB was refused for the demolition of the existing walled garden, enclosing walls and structures (green houses and storage sheds). The reason for refusal related to the proposed demolition resulting in the loss of a rare walled garden feature which forms an integral part of the built landscape and makes an intrinsic contribution to the quality of the setting of the Manor of Groves itself.

3.0 Consultation Responses

- 3.1 County Highways do not wish to restrict the grant of permission subject to conditions relating to hard surfacing and turning space within the site and areas for parking and storage of construction materials. They have commented that the proposal to develop the land for a single residential dwelling would in principle be acceptable to the Highways Authority, despite the rural location of the site. There is sufficient off-street parking provision and a turning area is proposed to be provided to ensure vehicles are able to manoeuvre and exit onto the highway in forward gear.
- 3.2 The Council's Conservation Officer has recommend refusal of the application and comments that although the associated structures to the walled garden are in a poor state of repair this does not warrant their demolition to accommodate a dwellinghouse, as they have a direct

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historic relationship with the adjacent Grade II Listed Building. Further concerns are raised with the design and scale of the proposed dwellinghouse in relation to the adjacent Listed Building. In summary, the Conservation Officer comments that the proposal would have a detrimental impact upon the immediate and wider setting of the Manor of Groves.

- 3.3 The Council's Landscape Officer has recommended approval of the application and has commented that the proposal will not have an adverse impact upon significant trees. The Landscape Officer is satisfied that details of proposed landscaping and the protection of any existing trees could be ensured by adding appropriate conditions to the grant of any permission.
- 3.4 Environmental Health raise no objection to the proposal subject to condition.
- 3.5 Veolia Water comment that the site is located within the groundwater Source Protection Zone, of Redricks Pumping Station. Therefore the construction works and operation of the proposed development should be done in accordance with the relevant British Standards and Best Management Practices.

4.0 Parish Council Representations

- 4.1 High Wych Parish Council does not object to the proposal but question what the implications for the village and the Metropolitan Green Belt are if the proposal was granted. The Parish Council further comments that the benefit of repairing and maintaining the wall should be emphasised.

5.0 Other Representations

- 5.1 The application has been advertised by way of a press and site notice and neighbour notification.
- 5.2 1 letter of objection has been received from the Manor of Groves Proprietor which can be summarised as follows:-
- Inappropriate development on Green Belt land;
 - No special circumstances have been presented to allow such development within the Metropolitan Green Belt;
 - Poor visibility for highway users.

5.3 2 letters have also been received from local residents who have not raised objections but observe that the proposed dwelling would be set forward of the existing walled area. Residents have also commented that they wish to see the garden wall retained.

6.0 Policy

6.1 The relevant Local Plan policies in this application include the following:-
GBC1 Appropriate Development in the Green Belt
SD2 Settlement Hierarchy
ENV1 Design and Environmental Quality
TR7 Car Parking-Standards

In addition to the above it is considered that Planning Policy Statement 1: Delivering Sustainable Development and Planning Policy Guidance 2: Green Belts are also considerations within this application.

7.0 Considerations

7.1 The determining issues in relation to this application are:

- Whether the principle of the development is acceptable and whether very special circumstances exist to warrant a departure from Green Belt Policy
- The impact of the development on the character and appearance of the area and neighbour amenity and the impact of the proposal upon the historic setting of the adjacent Grade II Listed Building known as The Manor of Groves.

Principle of development

7.2 Both PPG2 and Local Plan Policy GBC1 outline specific types of development that are appropriate within the Green Belt, which includes agricultural related developments and essential facilities for outdoor sports and recreation. Residential development is not outlined as appropriate development within PPG2 or Policy GBC1 of the Local Plan. PPG2 states that inappropriate development is, by definition, harmful to the Green Belt and that the onus is upon the applicant to demonstrate that the harm caused by the inappropriate development would be clearly outweighed by other considerations. Very special circumstances must be demonstrated to allow the proposed inappropriate development and to justify a departure from local and national policy.

- 7.3 The design and access statement submitted with the proposal outlines that in the applicant's view there are special circumstances present in this instance to allow the construction of a detached dwelling within the Metropolitan Green Belt. The applicant considers that the proposed dwelling would be contained within the 2.5-3 metre high wall which will visually isolate it from the surrounding countryside thus preventing any further 'sprawl'. The applicant also suggests that the siting of the dwelling means that it would not be used as a precedent for other similar applications in the future. The applicant considers that this would warrant the 'very special circumstances' required to build within the Metropolitan Green Belt and would outweigh policy considerations in the Green Belt.
- 7.4 Officers cannot however agree with this. The construction of a new dwelling at this site would be clearly contrary to Green belt policy and there are no 'very special' circumstances which would outweigh the harm caused to established Local Plan Policy or National Policy and to the openness and character of the surrounding area. Officers note that the proposed dwelling would be sited in front of the existing wall and not within it and would also appear between 4.3-3.8 metres above the existing wall. As such, the proposed dwelling would not be visually isolated but, in Officers view would have an obtrusive impact upon the openness of the Metropolitan Green Belt. The existing site represents an important open, rural space within countryside. Therefore the construction of a dwelling would have a harmful impact upon the character, appearance and openness of this site and the locality, regardless of its siting within or nearby the existing walled area. Such a development would be harmful to the rural character and appearance of the area. Officers raise additional concerns that granting planning permission for such a building may also set a precedent for similar development in future, regardless of the proposed dwelling's siting in relation to the existing wall.
- 7.5 The applicant has commented that the proposed dwelling would make use of solar power and would include ground source heat pumps and solar panels. Whilst Officers commend the good intention to build an eco-friendly residential dwelling, the proposed dwelling would still have an adverse impact upon the Metropolitan Green Belt and would not warrant the very special circumstances required to permit a departure from local and national policy.
- 7.6 The applicant also argues within the submitted design and access statement that the site lies within the Category II Village of High Wych and as such would accord with Policy OSVII of the Local Plan which permits limited infill development. Taking into account that the site is located some 500 metres from the built up area of High Wych, it is not

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considered that the site is located within the built up area of the village, but within the Metropolitan Green Belt. As such Policy OSVII of the Local Plan is not applicable in this case.

- 7.7 It is Officer's understanding that the application site was previously used as part of the commercial operations of the adjacent hotel known as The Manor of Groves. The existing site is undeveloped and the remaining outbuildings and greenhouse appear very discreet within the site and are not visible from outside of the site. Officers consider that these existing outbuildings and greenhouse, which are modest in size and scale, have blended into the landscape by the process of time and therefore their demolition would not justify a departure from Local Plan Policy for the construction of a residential dwelling within the Metropolitan Green Belt.
- 7.8 The proposed dwelling would retain the existing landscaping and mature trees to the frontage of the site in order to partially screen the development. Officers accept that this would go some way to reduce the visual impact that the development would have when viewed from the highway. Notwithstanding this, the proposed 1½ storey dwelling with garage, combined with the amount of hard surfacing that is proposed; the resulting domestic paraphernalia that would be likely to occur with a residential use and the increased activity and movements to that currently occurring at the site, would cumulatively represent an intrusion upon the openness of the Green Belt.
- 7.9 Officers therefore consider that not only is the proposal inappropriate development and therefore, by definition, harmful to the Green Belt, but that the circumstances of the site and the development that is proposed substantiates this. The proposed building and associated hardstanding would result in the loss of existing openness and would instead appear visually intrusive, contrary to the aims of growth restraint and the maintenance of openness within the Green Belt as set out within PPG2 and Policy GBC1 of the Local Plan.

The impact on the setting of the adjacent listed building

- 7.10 Concern has been expressed, and refusal recommended by the Conservation Officer who outlines that the proposed dwelling by reason its size, siting and design would have a harmful impact upon the setting of the adjacent Listed Building known as The Manor of Groves. The Manor of Groves is distinctive in its appearance and is of architectural and historic interest, with what appears to be the original part of the building sited opposite the walled garden area. It is isolated from other buildings within the locality, with the nearest neighbouring properties sited some 100 metres away. The proposed dwelling would be

positioned within 23 metres of the listed building. Although the proposed dwelling would not interfere with views of the listed building from the east elevation of the hotel, it would be prominent in views along the lane and, due to the height of the proposed dwelling, would also be visible from the western elevation of the hotel and from the surrounding countryside and the golf course. Whilst there are outbuildings and a greenhouse that currently occupy the site within the setting of the listed building and within the curtilage listed wall that are in a poor state of repair, these are of a size and scale that is more appropriate to the location adjacent to the listed wall.

- 7.11 As such it is considered that the proposed dwelling would interfere with views of the Listed Building and would fail to preserve an appropriate setting for The Manor of Groves but would detract from that setting and, therefore the special interest of the listed building. Accordingly, the proposed dwelling would conflict with the aims and objectives of PPS5: Planning for the Historic Environment.

The impact on the amenities of neighbouring residential occupiers

- 7.12 In terms of the impact that the development would have upon neighbour amenity, taking into account that the proposed dwelling would retain over 100 metres to the nearest residential dwelling, I do not consider that the proposed dwelling would have a detrimental impact upon these neighbours' amenity from loss of privacy, overlooking similar.

7.13 Highway Safety and parking provision

Whilst the Highways Authority acknowledges that the proposed vehicular access would be sited off a narrow, rural lane, Officers note that they do not consider that there are justifiable reasons to object to the application in highway safety terms. Taking these comments into account, Officers raise no further comment with regards to highway safety. In respect of parking provision, the proposal would provide off-street parking for at least 5/6 vehicles. With regards to this parking provision, the Vehicle Parking Standards, as set out in the East Herts Local Plan requires a maximum of 2.25 spaces per 3 bedroom dwelling. As such the proposal will provide more than sufficient off-street parking and no objections are raised in relation to the level of parking provision proposed in this application.

8.0 Conclusion

- 8.1 The proposed development constitutes inappropriate development within the Metropolitan Green Belt. It would be harmful to the Green belt by definition and damaging to its openness in conflict with PPG2 and Policy GBC1. Officers consider that the circumstances submitted by the applicant relating to the siting of the proposed dwelling to the front of the walled garden area do not form the “very special” circumstances required to justify a departure from policy and to outweigh the harm that the proposed development would have upon the openness of the Green Belt.
- 8.2 The inappropriate design of the proposed dwelling, together with its siting and size would result in a development that would have a harmful impact upon the setting of the adjacent Grade II Listed Building known as 'The Manor of Groves'. The proposed development would therefore be contrary to PPS5: Planning for the Historic Environment.
- 8.3 Having regard to all of the above considerations it is recommended that planning permission is refused.