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Standing up for Hertfordshire's countryside

James Gardner
Planning and Development
Dacorum Borough Council
Civic Centre
Marlowe
Hemel Hempstead
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Our Ref:

Your Ref:

19th June 2020 (by email)

Dear Mr. Gardner,

Application No. 20/00570/FUL

Construction of new dwelling attached to the side of property with rear single storey element. Demolition of existing garage. Alterations to landscaping.

At 68 Stocks Road, Aldbury, Tring, Hertfordshire HP23 5RU

CPRE Hertfordshire have concerns regarding this proposal for development in the Rural Area Beyond the Green Belt, within the Chilterns Area of Outstanding Natural Beauty and the Aldbury Conservation Area.

Unfortunately the Design and Access/Heritage Statement does not address the planning implications of those designations and, though referred to, the Pre-submission advice (4/00727/19/PRE) is not included in the documentation or accessible on the Council's website. Consequently, we are unable to determine the extent of the applicant's knowledge of them or why they are not dealt with in the documentation.

Under Policy CS7 of the current Dacorum Core Strategy small scale residential development is permitted in Aldbury provided that it supports the vitality and viability of the local community, causes no damage to the existing character of a village and is compatible with policies protecting and enhancing the Rural Area and Chilterns Area of Outstanding Natural Beauty.

The site sits within the Chilterns AONB. The National Planning Policy Framework is clear that AONBs are excluded from the presumption in favour of sustainable development (para 11 footnote 6), *"in view of the importance of conserving and enhancing their landscapes and scenic beauty."* This position was supplemented by the July 2019 revision to National Planning Practice Guidance. NPPF para 172 states that the AONBs *"have the highest status of protection."* This point was emphasised by the Inspector in determining the Core Strategy (para. 39 of the Inspector's letter.) It follows that the land within the AONB should be

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CPRE Hertfordshire is a Charitable Incorporated Organisation

President: Sir Simon Bowes Lyon, KCVO
Chairman: Richard Bullen

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protected from development unless *“it can be demonstrated that the development is in the public interest”*, which is clearly not the case here.

Development in the AONB is regulated by the Chilterns Building Design Guide. While the Guide is not a statutory document, it is a material planning consideration in decision making on planning applications. Local planning authorities are expected to ensure that all planning applications in the AONB demonstrate how these guidelines have been taken into account. This application does not do that.

As it is in the Aldbury Conservation Area, the proposal is covered by the Dacorum Conservation Strategy 2014 -2019 and the Aldbury Conservation Area Character Statement and Management Proposals. Map 12 in the latter document shows that the terrace, of which No. 68 Stock Road is the end property, is locally listed. Locally Listed Buildings are buildings which have been identified by Dacorum Borough Council as being of special architectural or historic interest but falling just 'beneath the line' for inclusion within the statutory list. They make a positive contribution to the special interest of the conservation area.

The Conservation Area was designated under the provisions of Section 69 of the Planning (Listed Building and Conservation Areas) Act 1990. Section 72 of the Act requires the Council, in making a decision on an application for development in a conservation area, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. This is in line with Section 16 of the NPPF which sets out the duty of the Council to conserve *“sites and buildings of local historic value ... so that they can be enjoyed for their contribution to the quality of life of existing and future generations.”* Again, despite being called a heritage statement, the application does not address any of the requirements of either the Conservation Statement or the provisions of NPPF Section 16.

In its original form, with its higher second storey and symmetrical frontage, No. 68 acted as a termination to the terrace. As may readily be seen from looking at the front elevation of No. 68, this is not the first time the property has been extended. (Approval 4/00305/01/FHA permitted a two storey side/front extension, single storey rear extension and detached double garage.) This extended the terrace to the north and rendered the elevation asymmetrical. The current proposal will further extend the terrace and further damage the character of both No.68 and the terrace as a whole. In our view the continuing expansion of No. 68 erodes the overall character of the terrace.

The documentation accompanying the application contains ambiguities. The application is listed as the *“construction of new dwelling”*, the first sentence of the Design and Access Statement says *“submission for the alterations to the property”* and the Proposal says *“construct a two storey extension to the side of the existing house.”* At other points the proposal is described as an annexe and, in the second 'For Information' statement that *“the*



new extension/annexe will always remain as part of the enclave of Number 68". On balance, it would seem that what is intended is a 'granny annexe' and not a new dwelling.

In determining the planning balance the Council will have to take into account the above points which have not been addressed in the application documentation and clarify the actual intent of the application.

Yours sincerely,

David Irving