

4/02073/17/FUL - REDEVELOPMENT OF INDOOR SCHOOL BUILDING, STORAGE BARN, HARDSURFACE AND AREA OF OUTDOOR STORAGE FOR 4 NO. DWELLINGS. PENDLEY FARM, STATION ROAD, TRING, HP23 5QY. APPLICANT: PENDLEY PROPERTIES LTD.

[Case Officer - Rachel Marber]

Summary

The application is recommended for approval

The application seeks planning permission for the redevelopment of a dis-used indoor horse school into four new dwellings. The principle of redevelopment is acceptable in the Green Belt due to the occupying of previously developed land. The proposed dwellings are considered to have no greater visual impact to the openness and purpose of the Green Belt. In addition, the proposal would not result in detrimental impact to the visual amenity of the street scene, adjoining countryside, undue impact to the residential amenity of the neighbouring residents or highway safety and parking provision. The proposed development therefore complies with the National Planning Policy Framework (2012), Policies NP1, CS5, CS8, CS10, CS11, CS12, CS17, CS24, CS26 and CS29 of the Core Strategy (2013), Saved Policies 18, 21, 58, 97, 99, 100, 118 and Appendices 3 and 5 of the Local Plan (2004).

Site Description

The application site comprises Pendley Farm and is located to the south of Station Road. The site comprises two large concrete framed buildings formally used as a race horse stud and equestrian yard. These buildings are no longer in use and the surrounding land is currently being used as a storage dump. The site lies within the Green Belt, AONB and an area of archaeological importance.

To the south of the site the former stable buildings and brick barn have been converted into 4 live/work units and three dwellings granted permission in app ref: 4/03572/14/FUL.

Proposal

Planning Permission is sought for the redevelopment of the former indoor horse riding school buildings and storage barn into four detached houses.

Referral to Committee

The application is referred to the Development Control Committee due to contrary views of Tring Town Council.

Planning History

Planning consent was granted in March 2014 for the part demolition of the existing stables and barn to form a mixed business (B1), shop (A1) and four live/work units; this permission was subsequently amended in 2015 to include additional units.

Address: PENDLEY FARM, STATION ROAD, TRING, HP23 5QY

- 4/03448/15/RO C VARIATION OF CONDITION 10 (APPROVED PLANS) ATTACHED TO PLANNING PERMISSION 4/03572/14/FUL (DEMOLITION OF STABLES AND BARN, CONVERSION OF STABLES AND STORAGE BUILDINGS TO 4 NO. LIVE/WORK UNITS AND 1 NO. DWELLING; ALTERATIONS AND EXTENSIONS TO 2 NO. DWELLINGS AND OFFICE WITH PRIOR APPROVAL FOR CONVERSION TO A DWELLING, TO FORM 2 NO. DWELLINGS; AND CONSTRUCTION OF GARAGES.)
Granted
07/12/2015
- 4/01764/15/RO C VARIATION OF CONDITION 10 (APPROVED PLANS) ATTACHED TO PLANNING PERMISSION 4/03572/14/FUL (DEMOLITION OF STABLES AND BARN; CONVERSION OF STABLES AND STORAGE BUILDINGS TO 4 NO. LIVE / WORK UNITS AND 1 NO DWELLING; ALTERATIONS AND EXTENSIONS TO 2 NO. DWELLINGS AND OFFICE WITH PRIOR APPROVAL FOR CONVERSION TO A DWELLING, TO FORM 2 NO. DWELLINGS; AND CONSTRUCTION OF GARAGES.)
Granted
24/06/2015
- 4/03572/14/FUL DEMOLITION OF STABLES AND BARN; CONVERSION OF STABLES AND STORAGE BUILDINGS TO 4 NO. LIVE / WORK UNITS AND 1 NO DWELLING; ALTERATIONS AND EXTENSIONS TO 2 NO. DWELLINGS AND OFFICE WITH PRIOR APPROVAL FOR CONVERSION TO A DWELLING, TO FORM 2 NO. DWELLINGS; AND CONSTRUCTION OF GARAGES.
Granted
18/03/2015
- 4/00857/14/OPA CHANGE OF USE FROM OFFICES (B1) TO RESIDENTIAL (C3)
Prior approval not required
29/05/2014
- 4/00082/14/FUL DEMOLITION OF STABLES AND BARN. CONVERSION OF BARN TO MIXED BUSINESS (B1), SHOP (A1) AND EQUESTRIAN USE AND CONSTRUCTION OF HAY STORE. ALTERATIONS TO INDOOR SCHOOL. CONVERSION OF STABLES AND STORAGE BUILDINGS TO FOUR LIVE/WORK UNITS AND CONSTRUCTION OF GARAGES FOR EXISTING DWELLINGS
Granted
25/03/2014

Policies

National Policy Guidance (2012)

National Planning Policy Framework (NPPF)

National Planning Policy Guidance (NPPG)

Adopted Core Strategy (2013)

Policy NP1- Supporting Development

CS5 - Green Belt
CS8 - Sustainable Transport
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS17- New Homes
CS19 - Affordable Housing
CS24 - The Chilterns Area of Outstanding Natural Beauty
CS26 - Green Infrastructure
CS29 - Sustainable Design and Construction

Saved Policies of the Dacorum Borough Local Plan (2004)

Policy 18- The Size of New Dwellings
Policy 21 – Density of Residential Development
Policy 58 - Private Parking Provision
Policy 97- Chilterns Area of Outstanding Natural Beauty
Policy 99 – Preservation of Trees, Hedgerows and Woodlands
Policy 100- Tree and Woodland Planting
Policy 118 – Important Archaeological Remains
Appendix 3- Gardens and Amenity Space
Appendix 5- Parking Provision

Supplementary Planning Documents (SPD)

Affordable Housing SPD- Clarification note (2016)
Affordable Housing SPD (2013)

Constraints

Area of Archaeological Significant
Area of Outstanding Natural Beauty
The Green Belt
Special Control for Advertisement

Summary of Representations

Comments received from consultees:

DBC Contaminated Land

No information relating to contamination has been submitted with this application.

The following report was submitted in respect of planning application 4/00082/14/FUL:

- Phase 1 Environmental Site Assessment; Document Reference: 20409R1; Issue A; WDE Consulting; September 2013

Comments were provided in my memo dated 16 April 2014 as follows:

'...The report provides a satisfactory preliminary risk assessment of the site. Based on the information provided within the Phase 1 Environmental Site Assessment Report, the conceptual site model and qualitative assessment has identified there to be a very low to moderate/low potential risk to both controlled waters and human health from the proposed residential redevelopment of the site. No further actions have been recommended prior to development of the site.

In respect of the current application, the report must be updated to reflect any changes on/off-site that have occurred since the time of writing. The proposed site use and layout must also be included. The amended report can be submitted for review prior to determination or requested via condition should planning permission be granted.

Herts Fire and Rescue

I refer to the above mentioned application and am writing in respect of planning obligations sought by the County Council towards fire hydrants to minimise the impact of development on Hertfordshire County Council Services for the local community.

Based on the information provided to date we would seek the provision of fire hydrant(s), as set out within HCC's Planning Obligations Toolkit.

HCC Highways

Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.

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

As there are no supporting/mitigating details from the applicant regarding trip generation and distribution that this level of development will generate. However, this level of development is unlikely to generate significantly high levels of movements which would ultimately lead to demonstrable harm to the highway network in terms of free flow and capacity.

The creation of these new residential dwellings will only impact on the highway if the development fails to provide sufficient off street parking space. This includes visitor parking if applicable. New or additional trips associated with this development would be low.

There are two vehicular accesses serving the site, which join with Station Road. The application form states that there will not be any additional vehicle accesses proposed. The main vehicular access will therefore remain as it is and there are no plans to amend or modify it at present.

The assessment does not indicate any significant issues with the proposal. The highway authority would not wish to restrict the grant of planning permission subject to the inclusion of the above conditions and informatives.

Herts Archaeology

The proposed development is located within Area of Archaeological Significance No.7, as identified in the Local Plan. This covers the area occupied by present day Pendley farm, along

with a substantial area to its west and south.

Documentary evidence suggests that there was a medieval village at Pendley, which was destroyed in 1440 by the then owner Robert Whittingham. Remains of the deserted medieval settlement may lie in the vicinity of Pendley Farm, with slight earthworks visible in the field to the south.

In addition, cartographic evidence indicates that the 16th century manor house (Historic Environment Record no. 16043) formerly stood on, or very close to, the site of Pendley Farm (Dury and Andrews' Topographic Map of Hertfordshire 1766).

Pendley Farm (HER no. 16044) was built as a model farm in the mid 1870s, associated with the construction of the new manor house to the west. Much of the planned layout survives, including 3 (possibly 4) of the original ranges, with one added in the late 19thC. The farm buildings were partially built of Tudor brick, which is likely to have come from the above mentioned manor house, Pendley Hall.

Archaeological monitoring of groundworks (KDK Archaeology 2015) during the construction of new structures in the farmyard to the south revealed an undated ditch and up to 1m of made ground, presumably related to the construction of the farm in the 1870s, with the fields to the east and north east less disturbed by comparatively recent activity.

I believe therefore that the proposed development is such that it should be regarded as likely to have an impact on heritage assets of archaeological interest and I recommend that the following provisions be made, should you be minded to grant consent.

Recommended Conditions A and B (5 and 6)

Tring Town Council

Objection

The Council recommended refusal of this application on the grounds that the proposed development was a change of use and construction of new buildings of a size and scale inappropriate within the Green Belt and to the Chilterns A.O.N.B. The development did not satisfy the exceptions in National Planning Policy Framework paragraph 89

Herts Fire and Rescue

Provision for Hydrants does not appear to be adequate to comply with BS9999 2008.

Herts Property Services

Herts Property Services do not have any comments to make in relation to financial contributions required by the Toolkit, as this development is situated within Dacorum's CIL Zone 1 and does not fall within any of the CIL Reg123 exclusions. Notwithstanding this, we reserve the right to seek Community Infrastructure Levy contributions towards the provision of infrastructure as outlined in your R123 List through the appropriate channels.

DBC Conservation

The two current buildings on the site are bulky and of no historic interest. If Green Belt policy allows this development, the design proposal for 4 houses works well as a courtyard layout and complements the development already constructed. It would be preferable to break the roofing up – currently proposed as all slate but would be better to mix tiles and slate – tiles along the range facing Station road consisting of the main ranges of Houses 2 and 3, and the carport, for example. The only other observation is that there is a mix of rooflight sizes - -the ones on House 1 and House 4 lighting the bathrooms appear particularly overscaled.

All bargeboards to be in timber and rainwater goods in black painted metal.

I support the recommendations made regarding the importance of archaeological investigations.

Comments received from local residents:

Verney House, Pendley Farm

Support

I am fully supportive of this application, the reason being: it will enhance the area and replace unsightly buildings with attractive houses which are in keeping with the surrounding houses/dwellings. There is a strong demand for houses in Tring and adjacent communities; this development will add value to the community.

The Stables, Pendley Farm

Support

I am pleased to confirm, as a resident at Pendley Farm, that we are happy in principle with the proposals for the development of the barns and indoor school, our only concern being that the distance between the frontage of Harcourt House and Verney House, and the edge of the new development area, is sufficient for both resident parking, and access for service/delivery/emergency vehicles.

Harcourt House, Pendley Farm

I live at the proposed site for the development of 4 new houses and I have concerns about the limited additional parking of 3 spaces for visitors to accommodate 8 houses on this site. Each property has allocated parking but there is not sufficient spaces for visitors and this will become an issue and access to the property problematic. The developer's feel this has been addressed in the plans but if each house had 1 visitor or additional cars then there is no safe parking & emergency services could be restricted.

Considerations

Principle of Development within the Green Belt

The application site is located within the Metropolitan Green Belt. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. There is the presumption against inappropriate development in the Green Belt, as advised by The National Planning Policy Framework (2012). Inappropriate development is, by definition, harmful to the Green Belt unless a case of special circumstances can be demonstrated which would outweigh this harm.

Therefore, the main issues to consider in terms of Green Belt policy are the appropriateness of the development, effect on the purpose of including land in the Green Belt, effect on the openness of the Green Belt and the impact on the visual amenity of the Green Belt. If the development is inappropriate development a case of very special circumstances would need to be put forward to justify its approval.

Appropriateness

The site lies within the identified Green Belt, where the Green Belt Strategy is set out in the NPPF (Section 9: Protecting Green Belt Land). Therefore aside from the presumption in favour of sustainable development and core planning principles set out in paragraphs 6-17 of the NPPF the most relevant paragraph in this regard is 89. This states that a local planning authority should regard the construction of new buildings as inappropriate in Green Belt, unless they fall within one of the exceptions set out.

Policy CS5 of the Core Strategy (2013) summarises the following acceptable small-scale development which would be permitted:

- (a) building for the uses defined as appropriate in national policy;
- (b) the replacement of existing buildings for the same use;
- (c) limited extensions to existing buildings;
- (d) the appropriate reuse of permanent, substantial buildings; and
- (e) the redevelopment of previously developed sites*, including major developed sites which will be defined on the Proposals Map.

The proposal, being a former horse riding school (Class D2) complies with criteria e, constituting a partial redevelopment of previously developed land. In accordance with the NPPF (2012) limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development would be appropriate.

Annexe 2 of the NPPF confirms that the definition of previously developed land extends to land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure.

Openness

As such development within previously developed land is appropriate subject to preserving the openness of the Green Belt.

The existing structures on site equate to the following floorspace and volume calculations:

EXISTING BUILDINGS TO BE	GEA	Volume

DEMOLISHED / CONVERTED		
Barn	598.6m ²	4,340 m ³
Indoor School	694.3m ²	4,070 m ³
Hay Store	33.6m ²	134 m ³
Total	1,326.5 m²	8,544 m³

The proposed replacement four new houses and associated Hay Store Office and Car-port would result in the following floorspace and volume calculations.

PROPOSED	GEA	Volume
House 1	250.8m ²	715 m ³
House 2	319.4 m ²	879 m ³
House 3	319.4 m ²	879 m ³
House 4	250.8 m ²	715 m ³
Hay Store Office	33.6 m ²	134 m ³
Car-port	72.0 m ²	312 m ³
Total	1,246.0 m²	3,634 m³

From the above tables it can be seen that the proposal would result in an overall reduction in floor area and volume to the structures currently existing.

The proposed replacement units would relatively retain the placement of the existing structures and hard standing with little further encroachment into the countryside and site boundaries. As such, the overall site mass and sprawl would relatively maintain as existing circumstances resulting in little further harm to the openness of Green Belt.

Furthermore, the existing site has a hardstanding sprawl equating to 815.524m² and the proposed replacement development would result in a more concentrated form of hard standing, to the centre of the site, of 656.2m². This would result in a reduction of hard standing and important to the verdant aspect character of the site.

There are limited views into the site from the open countryside and Station Road due to private farm land surrounding and heavy boundary treatment to the North. Further, the proposed dwellings would be at a lower height to existing barns, (7.5 metres approximately compared to existing 9 metre high barns) which would result in limited further visual harm to the openness of the Green belt.

The additional residential units would result in the introduction of further built physical permanence in the form of landscaping and boundary treatment such as, cars, vegetation and fencing; nonetheless this can be control by way of a landscaping detailing condition.

Taking this into considered the redevelopment of the equestrian site into five residential units would not result in an increase in physical permanence or visual harm the openness of the Green Belt. As such, the proposal complies with Polices CS5 of the Core Strategy (2013) and NPPF (2012).

Permitted Development Rights for Part 1, Class A, B, C, D, E, F and H, Class 2 A, B and C and Part 3 Class L have been removed in order for the Local Authority to retain control of the appearance of the site and prevent further build form and sprawl and residential paraphernalia which may detriment the openness of the Green Belt.

Purposes of including land in the Green Belt

It is necessary to consider whether the proposal would result in harm in terms of the five purposes of including land in the Green Belt. Paragraph 80 of The NPPF states that the Green Belt serves five purposes:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring town merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

The proposal does not result in the unrestricted sprawl of a large built-up area, two towns merging into one another or encroachment of the countryside due to the proposal being located within a brown field site. Furthermore, the development does not harm the setting of a historic town and would not make urban regeneration any less likely.

Summary

The proposed redevelopment of the horse school into four dwellings would not result in an inappropriate form of development within the Green Belt due to constituting part redevelopment of previously developed land. Further consideration has been given to the impact of the proposed structures on the openness and purpose of the Green Belt, in which the proposed scale and placement of structures are considered acceptable. As such, very special circumstances are not necessary to justify retention in the Green Belt location.

Impact on Street Scene and Chilterns AONB

Paragraph 60 of the NPPF states that, *'planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.'*

In addition, paragraph 64 of the NPPF states that *'permission should be refused for developments of poor design that fail to take opportunity available for improving the character and quality of an area and the way it functions.'*

Core Strategy (2013), Policies CS10, CS11 and CS12 highlight the importance of high quality sustainable design in improving the character and quality of an area; seeking to ensure that developments are in keeping with the surrounding area in terms of size, mass, height and appearance. This guidance is reiterated in the Saved Local Plan (2004) Policies of 18, 21 and Appendix 3.

Saved Policy 97 of the Local Plan (2004) and Policy CS24 of the Core Strategy (2013) states that the prime planning consideration for development within the Chilterns Area of Outstanding Natural Beauty should give regard to the conservation of the beauty of the area in addition to the economic and social well-being of the area and its communities. Thus, although development is permitted it will be on the basis of its satisfactory assimilation into the landscape. The policy continues to state that every effort will be made to discourage development and operations that would adversely affect the beauty of the area.

The proposal seeks to redevelopment the existing site which comprises two concrete stable blocks into four detached dwellings which would form a U-shaped courtyard road layout. The architectural style, materials, height and spatial form of the units would be reminiscent of country farm buildings, and assimilate well with the dwellings granted on the other half of the site under app ref: 4/03572/14/FUL and surrounding AONB.

Spacing between units would be maintained at least 1 metre in order to preserve the open, suburban character environment of the area. Further 10-15 metres (approximately) will be preserved to site boundaries in order to maintain the open character of the area and countryside border.

There are views into the site from the neighbouring private agricultural plots and Station Road. Nonetheless, the boundary treatment to the north and south of the site in respect of the wooded trees and 1.8 metre high close boarded wooden fences are such that the proposal would not be overtly visible from the adjacent highway or public rights of way, which are located (at a minimum) over 200 metres away. As such, the proposed development would not impact upon the visual amenity or character of the street scene.

It is further considered that the redevelopment of the site would result in a visual improvement to the existing concrete stables and clearing up of the existing site debris. The DBC conservation officer was consulted on the proposal and provided the following summary comments:

'The two current buildings on the site are bulky and of no historic interest. If Green Belt policy allows this development, the design proposal for 4 houses works well as a courtyard layout and complements the development already constructed.'

As a result the redevelopment of the former horse school into a courtyard development of four detached houses is considered to relatively blend into the immediate environment and be screened from the adjacent countryside and therefore not considered visually intrusive or

harmful to the character and appearance of the immediate area, AONB or countryside; accordingly the proposed coheres with the NPPF (2012) and Policies CS10, CS11, CS12 and CS24 of the Core Strategy (2013) and Saved Local Plan (2004) Policies 18, 21 and 97 and Appendix 3.

Effect on Neighbours

The NPPF outlines the importance of planning in securing good standards of amenity for existing and future occupiers of land and buildings. Saved Appendix 3 of the Local Plan (2004) and Policy CS12 of the Core Strategy (2013), seek to ensure that new development does not result in detrimental impact on neighbouring properties and their amenity space. Thus, the proposed should be designed to reduce any impact on neighbouring properties by way of visual intrusion, loss of light and privacy.

The proposed units would maintain a 15 metre separation distance to neighbouring properties at Pendley Farm. Moreover, this relationship would be front to side which DBC have no policy guidance standard on minimum separation distance. Additionally, House 1 and 4 would have no flank elevation windows which would result in a loss of privacy to neighbouring residents at Pendley Farm.

Turning to the living conditions the proposal would afford future residents. Saved Appendix 3 of the Local Plan (2004) states that garden depths equal to adjoining properties would be acceptable with a functional proposed width, shape and size that is compatible with surrounding area. Saved Appendix 3 expands this further outlining that a dwellinghouse should be provided with a minimum 11.5 metre deep garden space; with a larger garden depth provided for family homes. The proposed new units would have the following garden depths:

House 1: 20 metres

House 2: 17.5 metres

House 3: 11.5 metres

House 4: 13 metres

Thus, the proposed would not detrimentally impact the residential amenity of neighbouring properties, or future occupiers, thus is considered acceptable in terms of the NPPF (2012), Saved Appendices 3 and 7 of the Local Plan (2004) and Policy CS12 of the Core Strategy (2013).

Impact on Highways Safety and Parking Provision

Policy CS12 of the Core Strategy (2013) seeks to ensure developments have sufficient parking provision. Paragraph 39 of the NPPF (2012) states that if setting local parking standards authorities should take into account the accessibility of the development, the type, mix and use of the development, availability of public transport; local car ownership levels and the overall need to reduce the use of high emission vehicles. Policies CS8 of the Core Strategy (2013) and Saved Policy 58 and Appendix 5 of the Local Plan (2004) promote an assessment based upon maximum parking standards.

The Council's Parking Standards, set out within Saved Appendix 5 of the Local Plan (2004) requires 3 parking spaces for four+ dwellings within residential zones 2-3. The application

proposed four units comprising 2x four bed and 2x five bed, which would require 12 off street parking spaces. The application seeks to provide two parking spaces per dwelling with a further two parking spaces integrated into the double garages serving two of the properties. Three visitor spaces would also be provided a total of 15 off street parking spaces which exceeds the maximum standard. It is important to note that ample parking is also available on the site access road to the existing properties at Pendley Farm and proposed units.

HCC Highways were consulted on the proposal and provided the following conclusive comments:

'The assessment does not indicate any significant issues with the proposal. The highway authority would not wish to restrict the grant of planning permission subject to the inclusion of the above conditions and informatives.'

Due to Highways raising no objection and available off street parking, the proposed development would not result in significant impact to the safety and operation of adjacent highway. Thus, the proposal meets the requirements of Policy CS8 and CS12 of the Core Strategy (2013) and Saved Appendix 5 of the Local Plan (2004).

Impact on Trees and Landscaping

Saved Policies 99 and 100 of the Dacorum Local Plan (2004) and Policy CS12 of the Core Strategy (2013) seek to ensure that retained trees are protected during development and that new planting is a suitable replacement for any removed trees.

The proposed scheme has the potential to provide soft and hard landscaping on site. The boundary treatment would comprise of close boarded wooden fences, brick walls and hedges. Hardstanding has also been kept to a minimum, restricted to small areas of parking, properties entrances and patios only. The remainder of the site will be soft landscaped and grassed, maintaining the verdant aspect character of the area and countryside.

Sustainability

Policy CS29 of the Core Strategy (2013) states that new development should comply with the highest standards of sustainable design and construction possible. A sustainability checklist has been submitted alongside application outlining sustainability measures for the proposed development; such as minimised carbon levels by adopting airtightness and high levels of insulation and recycling and repacking of site waste where possible.

Protected Species

The presence of protected species is a material consideration, in accordance with the NPPF (2012) (paragraphs 118-119), Natural Environment & Rural Communities (NERC) Act 2006 (section 40), Wildlife and Countryside Act 1981, Conservation of Habitats and Species Regulations 2010 as well as Circular 06/05. Furthermore, Policy CS26 of the Core Strategy (2013) states that proposals should contribute to the conservation of habitats and species.

Herts Ecology were consulted on the demolition of the existing site structures and provided the

following conclusive comments:

Consequently I consider that Dacorum BC may determine the application having taken bats reasonably into account. However the usual informative should be applied to any permission, namely:

- ***Bats and their roosts remain protected at all times under National and European law. If bats or evidence for them is discovered during the course of development works, work must stop immediately and advice sought on how to proceed lawfully from Natural England (tel: 0300 060 3900) or a licensed bat consultant.***

Archaeology

In accordance with Saved Policy 118 of the Local Plan (2004) and NPPF (2012) planning permission will not be granted for development which would adversely affect scheduled ancient monuments or other nationally important sites and monuments, or their settings. Where the Council considers that physical preservation of archaeological remains in situ is not merited, planning permission will be subject to satisfactory provision being made for excavation and recording. Herts Archaeology were consulted on the proposal and provided the following conclusive comments:

'In this case two appropriately worded conditions on any planning consent relating to these reserved matters would be sufficient to provide for the level of investigation that this proposal warrants.'

Affordable Housing

Policy CS19 of the Core Strategy (2013) sets out the site criteria for affordable housing. This should be read alongside the Affordable Housing SPD and Housing SPD clarification note version 2: July 2016. The 2016 clarification note clarifies that proposals for less than 5 units in rural areas would not require an affordable housing contribution. Moreover, vacant building credit is relevant to the proposal given the floor area of the existing buildings exceed that of the proposed development. Therefore, no affordable housing contribution would be sought for this site.

Conclusions

RECOMMENDATION – That planning permission be **GRANTED** for the reasons referred to above and subject to the following conditions:

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

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

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

**Application form
Planning Support Statement**

Historic Building Recording July 2014
Design, Access and Heritage Statement August 2017
File Note: Post Development Monitoring (PDM) for replacement bat loft at
Pendley Farm 3rd August 2017
Bat Survey- Preliminary Roost Assessment 4th January 2016
Policy CS29 Checklist
2105/02
2105/04
2105/05
2105/06
2105/07
2105/08
2105/09
2105/10
2105/11
2105/12
2105/13
2105/14A

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

- 3 **Prior to the commencement of the development hereby permitted a Phase I Report to assess the actual or potential contamination at the site shall be submitted to and approved in writing by the local planning authority. If actual or potential contamination and/or ground gas risks are identified further investigation shall be carried out and a Phase II report shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development. If the Phase II report establishes that remediation or protection measures are necessary a Remediation Statement shall be submitted to and approved in writing by the Local Planning Authority. For the purposes of this condition:**

A Phase I Report consists of a desk study, site walkover, conceptual model and a preliminary risk assessment. The desk study comprises a search of available information and historical maps which can be used to identify the likelihood of contamination. A simple walkover survey of the site is conducted to identify pollution linkages not obvious from desk studies. Using the information gathered, a 'conceptual model' of the site is constructed and a preliminary risk assessment is carried out.

A Phase II Report consists of an intrusive site investigation and risk assessment. The report should make recommendations for further investigation and assessment where required.

A Remediation Statement details actions to be carried out and timescales so that contamination no longer presents a risk to site users, property, the environment or ecological systems.

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development; in accordance with Policy CS12 of the Core Strategy (2013) and the NPPF (2012).

- 4 **All remediation or protection measures identified in the Remediation Statement referred to in Condition 3 shall be fully implemented within the timescales and by the deadlines as set out in the Remediation Statement and a Site Completion**

Report shall be submitted to and approved in writing by the local planning authority prior to the first occupation of any part of the development hereby permitted.

For the purposes of this condition a Site Completion Report shall record all the investigation and remedial or protection actions carried out. It shall detail all conclusions and actions taken at each stage of the works including validation work. It shall contain quality assurance and validation results providing evidence that the site has been remediated to a standard suitable for the approved use.

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development; in accordance with Policy CS12 of the Core Strategy (2013) and the NPPF (2012).

Informative:

Paragraph 121 of the NPPF states that all site investigation information must be prepared by a competent person. This is defined in the framework as 'A person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation.'

Contaminated Land Planning Guidance can be obtained from Regulatory Services or via the Council's website www.dacorum.gov.uk

- 5 Prior to commencement of any built development hereby permitted information on the number and position of fire hydrants shall be submitted to and approved in writing with the Local Planning Authority. The relevant details shall include information on how the hydrants will be incorporated into the mains water services whether by means of existing water services or new mains or extension to or diversion of existing services or apparatus. The fire hydrants shall be implemented prior to occupation of the dwellings hereby approved.**

Reason: In the interests of health and safety; in accordance with Policy CS12 of the Core Strategy (2013).

- 6 No demolition/development shall take place/commence until a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:**

- 1. The programme and methodology of site investigation and recording**
- 2. The programme for post investigation assessment**
- 3. Provision to be made for analysis of the site investigation and recording**
- 4. Provision to be made for publication and dissemination of the analysis and records of the site investigation**
- 5. Provision to be made for archive deposition of the analysis and records of the site investigation**
- 6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.**

Reason: In order to provide properly for the likely archaeological implications of this development proposal; in accordance with Policy 12 (para. 141, etc.) of the National Planning Policy Framework, Saved Policy 118 of the Local Plan (2004) and the

guidance contained in the Historic Environment Planning Practice Guide.

7 i) Demolition/development shall take place in accordance with the Written Scheme of Investigation approved under condition 7.

ii) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

If planning consent is granted, then this office can provide details of requirements for the investigation and information on archaeological contractors who may be able to carry out the work.

Reason: In order to provide properly for the likely archaeological implications of this development proposal; in accordance with Policy 12 (para. 141, etc.) of the National Planning Policy Framework, Saved Policy 118 of the Local Plan (2004) and the guidance contained in the Historic Environment Planning Practice Guide.

8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending or re-enacting that Order with or without modification) no development falling within the following classes of the Order shall be carried out without the prior written approval of the local planning authority:

**Schedule 2 Part 1 Classes A, B, C, D, E, F and H
Part 2 Classes A, B and C
Part 3 Class L.**

Reason: To enable the local planning authority to retain control over the development in the interests of safeguarding the residential and visual amenity of the locality; in accordance with Policy CS12 of the Core Strategy (2013).

Article 35 Statement

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 (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

Highway Informative

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 website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and 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 are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

Ecology Informative

Bats and their roosts remain protected at all times under National and European law. If bats or evidence for them is discovered during the course of development works, work must stop immediately and advice sought on how to proceed lawfully from Natural England (tel: 0300 060 3900) or a licensed bat consultant.