

4/02469/18/FUL	Demolition of two agricultural barns; replacement with single dwelling and reinstatement of historic orchard
Site Address	Barns at Chapel End Lane, Wilstone, Tring, HP23 4NY
Applicant	Mrs Johnson, Chivery Hall Farm
Case Officer	Martin Stickley
Referral to Committee	Call-In from Councillor Olive Conway

1. Recommendation

1.1. That planning permission be **GRANTED**.

2. Summary

2.1. The proposal to provide a new property would represent appropriate development. The proposed scheme in its context and would not compromise the characteristics of the countryside, Conservation Area or surrounding listed buildings. There would be no significant highway safety concerns. The proposed car parking arrangements are sufficient. There would be no serious impacts on visual or residential amenity. As such, the development is considered acceptable with regard to the policies listed in Section 6 (Policies).

3. Site Description

3.1. Chapel End would appear on the historic maps to be a cluster of farm buildings and associated workers housing just outside the village of Wilstone. It comprises of a number of historic cottages and converted barns. There is also a listed farm house. Materials tend to be brick, weatherboarding and tile with some slate roofs.

3.2. The application site in the 19th century appears to have had smaller agricultural buildings and also contained an orchard. This seems to have been removed in the second half of the 20th century. The barns on this site appear to have some slightly unusual features with some showing very shallow pitches and also half or full hips which are not found in all barns within the area.

4. Proposal

4.1. Planning permission is sought for the replacement of two dilapidated agricultural barns with a 4-bed residential dwelling. The proposed dwelling has low eaves, hipped roof and black stain timber boarding on a brick plinth. The fencing around the curtilage is post and rail.

4.2. The proposal also comprises the reinstatement of a historic orchard. The orchard would contain apple and prune species.

5. Planning History

5.1. No relevant planning history.

6. Policies

National Policy Guidance

National Planning Policy Framework (NPPF)
National Planning Policy Guidance (NPPG)

Adopted Core Strategy

Policies NP1, CS1, CS7, CS8, CS11, CS12, CS17, CS25, CS27, CS29, CS31, CS32, CS35

Saved Policies of the Dacorum Borough Local Plan

Saved Policies 10, 13, 18, 21, 51, 57, 58, 99, 100, 101, 111, 120
Saved Appendices 3 and 5

7. Constraints

- Area of Archaeological Importance
- Adj. Small Village Boundary
- Conservation Area
- Rural Area
- CIL Zone 2

8. Representations

Consultation responses

8.1. These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

8.2. These are reproduced in full at Appendix B

9. Considerations

Main issues

9.1. There are several key issues. First, the effect of the development on the character and appearance of the area; second, the effect on the setting of the Conservation Area and neighbouring listed buildings; third, the impact of the proposal on residential amenity; and fourth, the overall balance and whether the appeal proposal constitutes sustainable development in the countryside.

10. Principle of Development

10.1. Paragraph 55 of National Planning Policy Framework (henceforth referred to as the ‘Framework’) states, “to promote sustainable development in rural areas, housing

should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby.”

10.2. The corresponding guidance in paragraph 50-001-20160519 of the Planning Practice Guidance ("the PPG") states:

10.3. “How should local authorities support sustainable rural communities?

10.4. It is important to recognise the particular issues facing rural areas in terms of housing supply and affordability, and the role of housing in supporting the broader sustainability of villages and smaller settlements. This is clearly set out in the Framework, in the core planning principles, the section on supporting a prosperous rural economy and the section on housing.

10.5. A thriving rural community in a living, working countryside depends, in part, on retaining local services and community facilities such as schools, local shops, cultural venues, public houses and places of worship. Rural housing is essential to ensure viable use of these local facilities.”

10.6. The site falls just outside the defined ‘small village’ of Wilstone. It is Grade 3/4 Agricultural Land (low-medium quality). Dacorum’s Core Strategy (Policy CS7 – Rural Area) lists a number of uses that are acceptable within the defined ‘Rural Area’. Residential does not fall within this list. However, it does state that “small-scale development for housing...will be permitted at Wilstone, provided that it complies with Policy CS1: Distribution of Development and Policy CS2 Selection of Sites.”

10.7. The application site is situated on the edge (outside) of the settlement boundary (see Policies Map) and within the Rural Area. Numerous appeal decisions have revealed that the village envelope is not determinative in terms of judging the village boundary. It is therefore reasonable to consider the facts on the ground in coming to a planning judgement. The proposed dwelling is situated at the end of Chapel End Lane and would not require a new access. The positioning of the building would follow the building line of the neighbouring properties (Poppy Cottage, Jackdew Barn, etc.). Overall, it is considered that the proposed property would form a functional part of Wilstone village.

10.8. Policy CS1 states that development that supports the vitality and viability of local communities, causes no damage to the existing character of a village and/or surrounding area and is compatible with policies protecting and enhancing the Rural Area will be supported.

10.9. There are several benefits that would stem from the proposed development. These include a reduction in built development (floor space, footprint, bulk and volume), improved design, amenity/biodiversity gains to the countryside and enhancements to the Wilstone Conservation Area through the reinstatement of a historic orchard. In light of the above, the principle of development is considered acceptable.

The Tilted Balance

10.10. The Dacorum Borough Core Strategy was adopted on 25th September 2013 and is now more than five years old. The Council must now revert to the Government’s standard housing methodology to determine its housing supply position and calculate

housing land supply on that basis.

10.11. If the Council is unable to demonstrate a five-year supply of deliverable housing sites using the standard housing methodology (using an appropriate buffer), then it should take the ‘tilted balance’ in favour of granting planning permission (Paragraph 11 of the Framework) will apply.

10.12. Given the local housing need arising from the standard methodology and previous levels of supply, Dacorum Borough Council will not be able to demonstrate in full a five-year supply.

10.13. General policies not related to housing supply will continue to have the full weight of S38(6) of the Planning and Compulsory Purchase Act 2004, and planning decisions are to be made “in accordance with the plan, unless material considerations indicate otherwise”.

10.14. Relevant policies for the supply of housing should not be considered up-to-date in accordance with Paragraph 11 (d) in the Framework. It no longer matters what policies are “out-of-date”, the tilted balance requires that any applications are determined against the Framework. The balance is consequently tilted in favour of the presumption in favour of sustainable development except where:

- The application of policies in the Framework that protect areas or assets of particular importance provides clear reason for refusing the development proposed (see Framework, footnote 6); or
- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the Framework taken as a whole.

10.15. The identification and weighing of material planning considerations in assessing applications will therefore need to be considered against the policies of the updated Framework including the tilted balance in favour of sustainable development. The application of the tilted balance is a matter for the decision-maker.

10.16. Dacorum Borough Council acknowledges that it is unable to demonstrate a 5-year supply of deliverable housing sites as required by the Framework. As a consequence the development shall be considered against the Framework’s presumption in favour of sustainable development (Paragraph 11). In the absence of relevant up to date development plan policies, the balance is tilted in favour of sustainable development and granting planning permission except where the benefits are ‘significantly and demonstrably’ outweighed by the adverse impacts or where specific policies in the Framework indicate otherwise.

Design

Aesthetics

11.1. The design has evolved considerably following the withdrawal of the previous application (see 4/01232/18/FUL). With advice from Dacorum’s Design Team, the scheme has progressed from that of a suburban appearance to more of a rural barn conversion.

11.1.1. The finalised design is felt to be in keeping with the general character of the area.

It uses suitable materials, with boarding, brickwork, slate style roofing and timber windows and doors. Dacorum's Conservation Department believe that it would "sit comfortably within the conservation area."

11.1.2. Overall, it is felt that the proposed dwelling would have a neutral impact on the character of the conservation area. The landscaping would enhance the area. As such, the proposal is felt to comply with saved Policy 120 and Policy CS27.

Volume

11.1.3. In terms of volume, the existing barns total 1061m³ (756m³ for the larger barn and 305m³ for the smaller). The proposed design totals 583m³ (the house is 542m³ and the shed is 40m³), which leads to a 45% total reduction in volume. This will benefit the overall openness in the Rural Area and is considered as an improvement to the countryside.

Height

11.1.4. The proposed dwelling has a ridge height of 6.36m and an eaves level of 3.1m. The design differs from the withdrawn scheme with the ridge height sitting 0.7m lower and the eaves 1.5m lower than the neighbouring dwellings. This can be seen on drawing PJSA-03-03, which demonstrates the levels.

Layout

11.1.5. The proposed dwelling has been located over the existing position of the larger barn to minimise disturbance to undeveloped land. The overall proposed curtilage is 1111m², with a proposed floor area approximately 73m² (30%) less than the existing barns. The overall footprint would be reduced by 45%.

11.1.6. The area allocated for the residential garden area is shown to the south-west of the building. The length of the garden is matches that of the neighbouring garden. However, the plot extends further to accommodate for the proposed orchard. The orchard will be 28m long and 18.5m wide.

11.1.7. Dacorum's Conservation and Design Department have welcomed the proposed orchard, stating that "it would re-establish a lost feature of the conservation area." A total of 10 new apple and prune trees have been proposed (see drawing PJSA- 02-02).

11.1.8. The applicant's Design and Access statement highlights that "the orchard would form part of the residential curtilage as it will need to be managed by the inhabitants of the dwelling as it is not intended to be a commercial operation." To ensure the longevity and maintenance of the proposed orchard, several conditions would need to be placed on the application if approved. The conditions would guarantee that no buildings could be constructed in the orchard area. They would also require a maintenance plan.

11.1.9. The proposed curtilage of the property uses existing fence lines to justify its extent. There is a 1.5m wide access down the north-east and north-west sides of the house, and a 2.4m route to the south-east side. The garden is 18.3m long. The garden depth and size would be acceptable for proposed dwellings, noting they would exceed the minimum 11.5m standard set out under saved Appendix 3.

Density

11.1.10. In density terms, the proposal is considered acceptable. The numerical density for the proposal would equate to approximately nine dwellings per hectare (DpH). This density figure may seem on the low end of the scale. However, it is commensurate with surrounding properties and following the pattern of development of the area in terms of site coverage and amount of building. It is not felt that the proposal would result in an overdevelopment of the site.

Summary

11.1.11. It follows the proposal would not raise any concerns with respect to aesthetics, volume, height layout and density when considered in its context, and would therefore accord with saved Policy 120, Policies CS11, CS12 and CS27 of the Core Strategy and Section 12 (Achieving Well-Designed Places) of the National Planning Policy Framework.

Impact on Access, Parking and Highway Safety

Access

11.2. The site would benefit from the existing vehicle access off Chapel End Lane. The leads right up to the application site – no additional road is proposed. Access into the neighbouring fields would be retained along with the gates leading to the right of way, which runs down the east side of the building. As part of the proposal, these gates will be replaced and made good to help enhance the appearance of the area (see drawing PJSA-03-03).

11.2.1. A number of neighbouring residents have raised concerns over the loss of the turning area fronting the proposed dwelling (north-east section of curtilage – see PJSA-01-01). It should be noted that this area, although used by residents and delivery vehicles, is within the applicant's ownership. Technically, this area should not be for public use. However, the applicant agreed to move the dwelling further back into the plot to retain a larger turning area.

Parking

11.2.2. Policy CS12 of the Core Strategy requires the provision of sufficient parking for new development. The proposed dwelling has four bedrooms. Saved Appendix 5 requires a maximum of three parking spaces for a property of this size in this location. The scheme provides three spaces on the north side of the house with direct access from the existing road. There is a six metre distance to the back of these spaces to allow for manoeuvring space.

Highway Safety

11.2.3. The highway authority has raised no objection with respect to highway safety in terms of the access, traffic generated by the proposed development, and proposed parking provision.

Summary

11.2.4. In light of the above, the addition of one new dwelling is not considered to result in adverse levels of parking stress and highway safety above existing conditions. The proposed access is deemed sufficient and there would be no conflict with the adjacent right of way. Therefore, the proposal would accord with the aims of Policies CS8 and CS12 of the Core Strategy and saved Policy 58 of the Local Plan.

Impact on Heritage Assets

11.3. Policies relating to the protection of heritage assets are relevant on the application site, as it lies within a Conservation Area. There are also a number of listed buildings within proximate distance (Church Farm House, The Studio, Chapel End Farm House, 8 Chapel End Lane and 9 Chapel End). It would therefore be reasonable to apply the objectives of saved Policy 120 and Policy CS27 when assessing the proposal.

11.3.1. Based on the comments from Conservation and Design, the proposals would represent a sympathetic addition to the Conservation Area. The comments suggest that the proposed building would have neutral impact on the area, whilst the proposed landscaping i.e. re-instatement of the orchard, would have a positive impact. There would be no adverse impact on the settings of the listed buildings. The proposals are felt to have a limited impact on the surrounding heritage assets. Overall, the proposal would enhance the character and appearance of the Conservation Area as per Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Impact on Visual Amenity

11.4. Based on the assessment above, the proposal is considered to represent an appropriate addition within the street scene of Chapel End Lane and surrounding public vantage points. It is important to note that the proposed dwelling would correspond with the surrounding area in terms of form and design detail, achieving a suitable level of integration with the street scene and surrounding area. As such, the proposal would accord with Policies CS11 and CS12 with respect to its impact on the street scene.

Impact on Residential Amenity

11.5. There is only one property, 'The Studio', with a curtilage that directly adjoins the site. Poppy Cottage is the nearest neighbour in terms of the physical building, which lies approximately 11m to the south-east, on the other side of the right of way. The new positioning of the dwelling is around 2.5m further away than the withdrawn scheme and 0.6m than the existing barn.

Daylight/Sunlight

11.5.1. The daylight and sunlight tests normally used by Local Planning Authorities are set out in the Building Research Establishment (BRE) document 'Site Layout Planning for Daylight and Sunlight: A guide to good practice (2011)'. The BRE guide gives two helpful rules of thumb (25° or 45° tests) which determine whether or not further detailed daylight and sunlight tests are required. Following these principles, it is not considered that there would be any significant loss of daylight or sunlight to the neighbouring properties.

Overlooking/Privacy

11.5.2. The proposed development is situated some distance from the closest neighbours fronting the site (The Studio and Church Farm House). There are two proposed windows at first-floor level that face these properties. One of which is obscure glazed and serves a bathroom, and one high-level roof light that serves a staircase. Considering this, it is not felt that the proposal would have any adverse impact on the privacy of these neighbours. The separation distances of 33m (The Studio) and 39m (Church Farm House) reinforce this.

11.5.3. Poppy Cottage is situated 11m away from the proposed dwelling. There are no flank windows on this neighbour that would be overlooked. The proposal may allow oblique views into the garden, however, this would be extremely similar to the existing relationship between Poppy Cottage and Jackdew Barn.

11.5.4. With regards to overlooking/loss of privacy, there would be no direct views into any of the neighbouring properties. It is therefore felt that any impacts with regards to loss of privacy and overlooking are insignificant.

Visual Intrusion

11.5.4. The proposed scale and siting of the development would not result in significant additional visual bulk above existing conditions. Therefore, the development is not felt to be unacceptably harmful in this regard.

Summary

11.5.5. As discussed above, there is sufficient separation and visual relief to address matters relating to overlooking, visual intrusion and loss of light. Therefore, the proposed buildings would not give rise to any unacceptable issues relating to residential amenity, complying with Policy CS12.

11.5.6. If planning permission is granted in the interests of safeguarding the residential amenity of the locality it would be reasonable to remove permitted development rights relating to Classes A and B for extensions and roof extensions, respectively.

Sustainable Development

11.6. Accessibility to services, facilities and employment from the site other than by car would be poor. The development would make a modest contribution to meeting housing need. A minor economic benefit would arise from developing the site and the economic activity of those occupying the dwelling. There would not be material harm to the character and appearance of the surrounding area or to the setting of listed buildings. Overall, the proposal would amount to sustainable development. Permission should be granted in accordance with the Framework's presumption in favour of sustainable development.

Impact on Ecology

11.7. A number of the neighbouring residents have raised concerns with the potential for bats and owls to be roosting in the barns. During the Case Officer's site visit, it was apparent that there were a number of birds nest within the larger barn structure.

11.7.1. Following this, additional surveys were requested from the applicant and

Hertfordshire Ecology were re-consulted. They responded as follows:

11.7.2. "The buildings have been adequately surveyed for bats and birds. They have been found to have negligible potential for bats, consistent with our previous views that they appeared suboptimal due to their construction and condition. However, given the local reports of bats, this issue should have been adequately assessed. Consequently it is reasonable for the LPA to consider that bats are unlikely to be present and so it can determine the application accordingly, having taken bats sufficiently into consideration.

11.7.3. Bats can still be present in unexpected locations, so as a safeguard I advise that an Informative should be attached to any permission to the effect that:

If during works bats or evidence of bats is discovered, all work should stop and advice sought from a professional consultant or Natural England.

11.7.4. The provision of bat boxes within the local area would also be beneficial for bats, although I acknowledge the new orchard provision will provide the principle ecological enhancement associated with any permission.

11.7.5. A bird's nest was found associated with ivy in Barn 2. Advice is provided to ensure birds are not harmed as a result of demolition works affecting either barn:

Vegetation clearance and demolition works should be undertaken outside of the bird nesting season (April – August inclusive depending on weather conditions). If this is not practicable then the barn will need to be first checked for nesting birds and, if any nests are found, works that would disturb the nest must be postponed until all young have fledged the nest and it is no longer in use.

11.7.6. This advice follows best practice and should be attached to any approval as an Informative.

11.7.7. The pond was assessed for Great crested newts and a Habitat suitability Index has been provided. This indicates the seasonal pond feature to be poor for GCN. It is therefore highly unlikely that this species is present locally and so is unlikely to be affected by the proposals.

11.7.8. On the basis of the above, I consider all potential protected species issues have been satisfactorily dealt with and so the LPA can determine the application accordingly having taken these species into account."

11.7.9. The advice above will be taken into account. If the application is approved, the suggested informatics added would be added to the permission.

Response to Neighbour comments

11.8. There have been nine objections from neighbouring properties. All of the issues raised have been addressed within this report.

Community Infrastructure Levy (CIL)

11.9. The Council's Community Infrastructure Levy (CIL) was adopted in February 2015 and came into force on the 1st July 2015. Policy CS35 requires all developments to

make appropriate contributions towards infrastructure required to support development. The application is CIL liable if it were to be approved and implemented.

11.9.1. The Charging Schedule clarifies that the site is in Zone 2 within which a charge of £150 per square metre is applicable to this development. The CIL is calculated on the basis of the net increase in internal floor area. CIL relief is available for affordable housing, charities and Self Builders and may be claimed using the appropriate forms.

12. Conclusions

12.1. The development site forms a part of Wilstone. The proposal would help to support the vitality of the rural community. The principle of development is therefore considered acceptable in accordance with Policy CS1 of the Dacorum Borough Core Strategy and Paragraph 55 of the Framework.

12.2. The proposed scheme in its context would result in an overall improvement to visual amenity and the appearance of the conservation area. The characteristics of the countryside, Conservation Area and surrounding listed buildings would not be compromised. There would be no significant highway safety concerns. The proposed car parking arrangements are sufficient. There would be no serious impacts on residential amenity. As such, the development is considered acceptable with the policies listed within this report.

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

Conditions

No	Condition
1	<p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>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.</p>
2	<p>The approved orchard shall be planted prior to the first occupation of the development hereby permitted. Any tree that forms part of the approved orchard which within a period of ten years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree of a species, size and maturity.</p> <p>Reason: To ensure that the reinstated historic orchard is planted and retained in accordance with saved Policy 120 of the Dacorum Borough Local Plan (2004) and Policy CS27 of the Dacorum Borough Core Strategy (2013).</p> <p>Reason: To ensure satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with saved Policy 99 of the Dacorum Borough Local Plan (2004) and Policy CS12 of the Dacorum Borough Core Strategy (2013).</p>
3	Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending or re-enacting

	<p>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:</p> <p>Schedule 2, Part 1, Classes A and B.</p> <p>Reason: To enable the local planning authority to retain control over the development in the interests of safeguarding visual and residential amenity, and the character of the locality in accordance with Policies CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 127 of the National Planning Policy Framework (2018).</p>
4	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) (Order) 2015 as amended (or any Order amending or re-enacting that Order with or without modification) no development within Schedule 2, Part 1, Class E shall take place within the proposed orchard area, as shown as hatched in pink on drawing PJSA-02-01-A.</p> <p>Reason: The orchard is one of the key benefits of the proposed development. The above condition will ensure that the proposed orchard is not destroyed or removed under the provisions of Schedule 2, Part 1, Class E permitted development rights. The local planning authority can therefore retain control over development in the orchard area the interests of safeguarding the character of the area, in accordance with Policy CS12 of the Dacorum Core Strategy (2013).</p>
5	<p>The proposed fencing, terrace and driveway shall be constructed in accordance with the submitted Design and Access Statement (Page 11) unless otherwise agreed by the Local Planning Authority.</p> <p>Reason: To ensure a satisfactory appearance to the development and to safeguard the character and appearance of the locality in accordance with Policy CS12 of the Dacorum Borough Core Strategy (2013) and Section 12 of the National Planning Policy Framework (2018).</p>
6	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>PJSA-02-01-A PJSA-02-02 PJSA-03-01 PJSA-03-02-A PJSA-03-03-P3</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p> <p>Article 35 Statement</p> <p>Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. 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</p>

(Development Management Procedure) (England) (Amendment No. 2) Order 2015.

Appendix A

Consultation Responses

Conservation and Design

The existing site is on the edge of the village but still within the conservation area. It consists of two large modern barns, an area of overgrown land and a field.

From our study of historic mapping this area was included within the conservation area due to it being part of a historic orchard. This seems to have been removed in the 1980s or thereabouts.

The proposal is for a replacement dwelling. Given that the barns could in theory be converted which would be detrimental to the character of the conservation area officer time was spent with the applicant agreeing a design. We believe that the design arrived at would be in keeping with the general character of the area. It uses suitable materials, with boarding, brickwork, slate style roofing and timber windows and doors. The scale mass and form are also in keeping. Therefore we believe that it would sit comfortably within the conservation area.

In addition we believe that the proposed landscaping would enhance the conservation area. The reinstatement of the orchard would be most welcome and it would re-establish a lost feature of the conservation area. The other areas of landscaping within the site would be appropriate in that they are of suitable local materials.

Therefore overall we believe that the proposed new dwelling would have a neutral impact on the character of the conservation area and the landscaping would enhance the area. As such we would welcome the proposals and recommend approval.

Recommendation: We would support the proposals. External materials, roof lights, rainwater goods, joinery details and finishes subject to approval. Landscaping materials subject to approval. It would be recommended that the trees within the orchard are subject to condition of a long term management plan for their maintenance.

Hertfordshire 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. 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.

All developments must be adequately served by fire hydrants in the event of fire. The County Council as the Statutory Fire Authority has a duty to ensure fire fighting facilities are provided on new developments. HCC therefore seek the provision of hydrants required to serve the proposed buildings by the developer through standard clauses set out in a Section 106 legal agreement or unilateral undertaking.

Buildings fitted with fire mains must have a suitable hydrant provided and sited within 18m of the hard-standing facility provided for the fire service pumping appliance.

The requirements for fire hydrant provision are set out with the Toolkit at paragraph 12.33 and 12.34 (page 22). In practice, the number and location of hydrants is determined at the time the water services for the development are planned in detail and the layout of the development is known, which is usually after planning permission is granted. If, at the water scheme design stage, adequate hydrants are already available no extra hydrants will be needed.

Section 106 planning obligation clauses can be provided on request.

Justification

Fire hydrant provision based on the approach set out within the Planning Obligations Guidance - Toolkit for Hertfordshire (Hertfordshire County Council's requirements) document, which was approved by Hertfordshire County Council's Cabinet Panel on 21 January 2008 and is available via the following link: www.hertsdirect.org/planningobligationstoolkit

The County Council seeks fire hydrant provisions for public adoptable fire hydrants and not private fire hydrants. Such hydrants are generally not within the building site and are not covered by Part B5 of the Building Regulations 2010 as supported by Secretary of State Guidance "Approved Document B".

In respect of Regulation 122 of the CIL Regulations 2010 the planning obligations sought from this proposal are:

(i) Necessary to make the development acceptable in planning terms.

Recognition that contributions should be made to mitigate the impact of development are set out in planning related policy documents. The NPPF states "Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Conditions cannot be used cover the payment of financial contributions to mitigate the impact of a development (Circular 11/95: Use of conditions in planning permission, paragraph 83).

All developments must be adequately served by fire hydrants in the event of fire. The County Council as the Statutory Fire Authority has a duty to ensure fire fighting facilities are provided on new developments. The requirements for fire hydrant provision are set out with the Toolkit at paragraph 12.33 and 12.34 (page 22).

(ii) Directly related to the development;

Only those fire hydrants required to provide the necessary water supplies for fire fighting purposes to serve the proposed development are sought to be provided by the

developer. The location and number of fire hydrants sought will be directly linked to the water scheme designed for this proposal.

(iii) Fairly and reasonable related in scale and kind to the development.

Only those fire hydrants required to provide the necessary water supplies for fire fighting purposes to serve the proposed development are sought to be provided by the developer. The location and number of fire hydrants sought will be directly linked to the water scheme designed for this proposal.

I would be grateful if you would keep me informed about the progress of this application so that either instructions for a planning obligation can be given promptly if your authority if minded to grant consent or, in the event of an appeal, information can be submitted in support of the requested provision.

I trust the above is of assistance if you require any further information please contact the Growth & Infrastructure Unit

Hertfordshire Highways

Proposal

Demolition of two agricultural barns. Replacement with single-family dwelling and reinstatement of an orchard.

Decision

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.

If the planning authority resolves to grant permission the highway authority recommend inclusion of the following advisory note to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980 AN1. The developer should be aware that the required standards regarding the maintenance of the public right of way and safety during the construction. The public rights of way along the carriageway and footways should remain unobstructed by vehicles, machinery, materials and other aspects of construction works. Prior to commencement of the construction of any development the applicant should submit a construction management plan for LPA's approval in consultation with the highway authority.

Description of the Proposal

The proposals are for demolition of existing two agricultural brans and construct a single family dwelling including reinstatement of orchard. Policy Review As part of the Design and Access statement, the application should take account of the following policy documents; • National Planning Policy Framework (July 2018); • Hertfordshire County Council's (HCC) Local Transport Plan-4 [2018-2031,May2018] Site Description: The proposed development is sited at the top end of Chapel End Lane which is a Cal De Sac and classified as an Unclassified Road "U". The proposed site can be accessed via an existing. Highway Layout: Vehicle Access: The proposed development site befits from an existing access from Chapel End Lane and according to the submitted application,

there is no proposal for alteration of access arrangement.

Highway Safety – Visibility The existing vehicle to vehicle and pedestrian - visibility would not be affected by the proposed development. **Servicing the Development: Refuse Collection** The refuse collection is an existing arrangement for the applicant site. **Parking** According to the submitted application, there is a provision of 3 car parking spaces. However, Hertfordshire County Council as the highway authority, is very keen for sustainable development, therefore it is a great opportunity to review the provision of providing of electric charging points at the proposed development site. Such as siting, type, the energy sources and the strategy/management plan of supplying and maintaining of the electric charging points **Conclusion:** Hertfordshire County Council as Highway Authority has considered that the proposal would not have a reasonable impact on the safety and operation of the adjoining highways and consequently has no objections to the proposal.

Hertfordshire Ecology

Thank you for consulting Hertfordshire Ecology on this application. I apologise for the delay with this reply.

I note we have previously commented on proposals at this site, mainly in relation to orchard / fruit trees planting. I have the following comments to make on this application: The Design & Access Statement shows the two barns to be open sided, which would generally be considered sub-optimal for bats to use for roosting, as the temperature and weather conditions within the barn would be variable, which bats do not like. However, due to the rural location, and the presence of dense vegetation covering part of the barns, bats are likely to be in the area; and there may, in fact, be suitable features within the structures for roosting.

Bats are protected under European and national legislation and in general terms, it is an offence to disturb or harm a bat, or damage or obstruct access to a roost. They will roost in buildings (often underneath loose tiles or lifted weatherboarding, or in gaps/cracks in the fabric of a building), as well as in trees, if suitable features and conditions are available.

There is a report of bats using the barns and consequently this should be investigated further to avoid a potential offence being committed. In addition, I understand that birds' nests have been seen in one of the barns, and owls have been reported from the vicinity. All wild birds, their nests, eggs and young are protected under the Wildlife and Countryside Act (1981) from killing, injuring, damaging or taking. This includes owls, and Barn owls are on Schedule 1 of the Act, which gives extra protection against *disturbance* when nesting.

Bat and bird assessment

I believe it is reasonable to advise a daytime Preliminary Roost Assessment (PRA) is undertaken by an appropriately qualified and experienced ecologist to evaluate whether bats, or evidence of them, are present and will be affected by the proposals. Such surveys can be undertaken at any time of year but should follow established best practice as described in the Bat Conservation Trust Good Practice Guidelines, 3rd edition, 2016.

In the event that evidence, or potential for bats, is found, further nocturnal surveys (dusk emergence / dawn re-entry surveys) may be required which can only be carried out when bats are active in the summer months between May and August, or September if the weather remains warm. The results of any follow-up surveys should provide mitigation measure to safeguard bats if they are to be affected by the proposals.

As bats are European Protected Species (EPS), this information is required to be submitted to the LPA *prior to determination* - so the LPA can fully consider the impact of the proposals on bats and discharge its legal obligations under the Habitat Regs.

It should be noted that if bats are found to be roosting within the property and will be affected by the proposals, appropriate mitigation measures will need to be carried out under the legal constraints of a European Protected Species (EPS) development licence. Natural England may require a number of activity surveys for a licence to be issued, consequently these need to be factored in to any development timescale.

Any building clearance should be undertaken outside the nesting bird season (March to August inclusive) to protect breeding birds, their nests, eggs and young. If this is not practicable, a search of the area should be made no more than 2 days in advance of vegetation clearance by a competent Ecologist and if active nests are found, works should stop until the birds have left the nest.

The roost assessment should also look for signs of nesting birds and active nests, and provide appropriate mitigation and/or compensation accordingly.

Biodiversity enhancements

The planning system should aim to deliver overall net gains for biodiversity where possible as laid out in the National Planning Policy Framework and other planning policy documents. In this instance, the development should aim to enhance the site for bats and birds, which could include the provision of roosting opportunities through the installation of bat boxes on the new buildings or suitable trees; installation of bird boxes for possibly owls, swifts, swallows and martins, etc.; and the creation of foraging areas by planting species which attract night flying insects.

Comments on additional information

Thank you for consulting Hertfordshire Ecology on the further information above, for which I have the following comments:

1. The buildings have been adequately surveyed for bats and birds. They have been found to have negligible potential for bats, consistent with our previous views that they appeared suboptimal due to their construction and condition. However, given the local reports of bats, this issue should have been adequately assessed.

Consequently it is reasonable for the LPA to consider that bats are unlikely to be present and so it can determine the application accordingly, having taken bats sufficiently into consideration.

Bats can still be present in unexpected locations, so as a safeguard I advise that an Informative should be attached to any permission to the effect that:

If during works bats or evidence of bats is discovered, all work should stop and advice sought from a professional consultant or Natural England.

The provision of bat boxes within the local area would also be beneficial for bats, although I acknowledge the new orchard provision will provide the principle ecological enhancement associated with any permission.

2. A bird's nest was found associated with ivy in Barn 2. Advice is provided to ensure birds are not harmed as a result of demolition works affecting either barn:

Vegetation clearance and demolition works should be undertaken outside of the bird nesting season (April – August inclusive depending on weather conditions). If this is not practicable then the barn will need to be first checked for nesting birds and, if any nests are found, works that would disturb the nest must be postponed until all young have fledged the nest and it is no longer in use.

This advice follows best practice and should be attached to any approval as an Informative.

3. The pond was assessed for Great crested newts and a Habitat suitability Index has been provided. This indicates the seasonal pond feature to be poor for GCN. It is therefore highly unlikely that this species is present locally and so is unlikely to be affected by the proposals.

4. On the basis of the above, I consider all potential protected species issues have been satisfactorily dealt with and so the LPA can determine the application accordingly having taken these species into account.

Appendix B

Neighbour Notification/Site Notice Responses

CHAPEL END FARMHOUSE, 6 CHAPEL END LANE, WILSTONE, TRING HP23 4NY

I have received the application for this via our next door neighbour who have kindly informed us of the above application. We have not received any notification of the planning application and I am glad that they have informed me of the application as I object to the application for a number of reasons:

We live in a conservation area and therefore this was a strong reason for buying our house as we felt that the area would be protected from development.

The proposed application is at the end of a road that leads into a foot path and is a right of way to all walkers.

The proposed development location floods on a regular basis and seems to be a natural resting place for the water from the stream that runs next door to the proposed development therefore if the development happens what will happen to the water when the area floods.

The development looks down the road onto neighbouring properties.

It will create extra traffic.

If the development is allowed it could create further development in a conservation area.
the development does not appear to be in the existing site of the barn.

The barn is constantly used by the farmer.

A number of development projects have gone ahead in the village already with Wilstone Quay, Dixons Wharf, and a development in the village of 3 houses.

The development is not affordable housing and therefore is not required.

This is the third application they have made in a short period of time and therefore the reasons for not accepting the application on previous occasions have not changed and should be turned down on the same basis.

I do not wish to stand in the way of development however on this occasion the development does not appear to benefit anyone within the village and is not required. I trust that you find my comments reasonable and valid.

JACARANDA, 5 CHAPEL END LANE, WILSTONE, TRING, HP23 4NY

I object to this plan on the following grounds:

- increased traffic along a single track lane.
- development of what is currently agricultural land
- loss of turning area currently used by delivery vehicles and occupiers of other houses in the lane
- the lane is not suitable for large building lorries
- disturbance and noise during building works

Further comments

On reading the application I am wondering if this is some sort of planning fraud as the person saying they are the owner does not live at the address given and as far as I know does not live in the village. This was pointed out by other people and the actual owners of the address given but the council has still allowed this application to go ahead. Should this not be stopped now on the grounds of attempted fraud?

1 CHAPEL FIELDS, WILSTONE, TRING, HP23 4SL

My objection is the same as previously. 7/7/18

Nothing has changed re access as the lane is only single carriageway.

The proposed parking area is used by large vehicles, such as delivery lorries, service and emergency vehicles for turning.

The photographs shown in the original application regarding parking were "staged".

The sewerage system in the village is already overstretched.

The barn is home to protected bats and owls.

I am advised that the land flooded several years ago.
It adjoins a public footpath.
The proposer does not live adjacent to the property in no.7 Chapel End Lane as reported on the application.
There will be considerable disruption to the residents of Chapel End Lane during construction with the traffic in the narrow lane.

8 CHAPEL END LANE, WILSTONE, TRING, HP23 4NY

I am writing to strongly object to the above planning application to turn an agricultural barn into a house. I have lived in Chapel End Lane all my life and am appalled by the number of new houses that have been built in the last few years. I estimate that in the last ten years there have been 33 houses built in Wilstone. Wilstone has no industrial facilities and all these extra houses just increase the traffic issues.

My objections are as follows

The development is outside the village envelope and is in the Conservation Area and Green Belt. Setting a precedent of allowing developments in a Conservation Area should not be allowed.

The area is very tranquil and peaceful and the barns are in keeping with an agriculture setting. There are bats and owls roosting in the barns.

Chapel End Lane is a single lane with 14 dwellings and we already have a traffic and parking problem. Visitors, deliveries (of which there are numerous every day), partially disabled dog walkers and ramblers use the turning circle to park in. This will not be possible with the new plan as they would be blocking off the three new car spaces, for the new house, and they will therefore park in the lane causing even more traffic issues. Larger delivery and service vehicles will not be able to access the lane and will cause traffic issues on Tring Road.

Emergency vehicles will have a problem gaining access to the end of the lane where there are several elderly and retired residents.

ALL 14 residences in Chapel End Lane are against the development.

The barn and the lane are prone to flooding and have been flooded many times over the years. Only two years ago when Wilstone and Long Marston experienced bad flooding, the barn and the lane was totally flooded and the farmer had to abandon its use. The house will be liable to flooding and permission to build on a known flood risk should not be granted.

10 GRANGE ROAD, WILSTONE, HP23 4PG

I am writing to make an objection to the above planning application.

I have lived in Wilstone for over 30 years and walk my dogs in the surrounding countryside.

I feel the local wildlife must be protected - bats and owls dwell in the barns and the disruption due to the demolition would be immense.

Please consider that my objections and the other villagers are making.

CHURCH FARM HOUSE, 7 CHAPEL END LANE, WILSTONE, TRING, HP23 4NY

I am writing to strongly object to the above planning application.

The application should be determined in accordance with the relevant policies in the Development Plan, as expressed in Section 38(6) of the Planning and Compulsory Purchase Act 2004, unless material considerations indicate otherwise. In this case the proposal does not accord with the relevant policies in the Development Plan and the harm to policy that would be caused by granting planning permission for this unsustainable form of development (particularly in Wilstone which recently has had 33 new houses built including 21 houses in Dixons Wharf, 8 houses in Wilstone Wharf and 3 houses opposite the village pub) should be avoided.

My objections are as follows

- 1) The application is unacceptable in principle. It is outside the village envelope and is in the Conservation Area and Green Belt where Core Strategy policy CS7 applies. In the Rural Area this policy only allows for the replacement of existing buildings for the same use, not for change to residential use, it does not fall within the definition of previously developed land in Annex 2 to the National Planning Policy Framework (NPPF), which specifically excludes "land that is or has been occupied by agriculture or forestry buildings." Setting a precedent of breaking the Core Strategy policy re change of use and allowing developments in a Conservation Area should not be allowed.
- 2) There are bats and owls roosting in the barns. The light pollution from a new dwelling will impact on these and other wildlife currently using the field and the dew pond, adjacent to the barn, including little egrets, heron, ducks and geese. A Bat Survey must be carried out. The domestication of the site resulting from the replacement of the existing barns with a dwelling with the associated activity and light pollution in what is currently a tranquil location will not enhance biodiversity or enhance the conservation area, as suggested in the Design and Access Statement and will actually have the opposite effect.
- 3) Church Farm House, The Studio, Chapel End Farm House, 8 Chapel End Lane and 9 Chapel End Lane are all listed buildings and create an old world agricultural feeling. The area is very tranquil and the barns are in keeping with an agriculture setting. Changing from a rural/agricultural building to a residential dwelling is a Visual Intrusion to the listed buildings of Church Farm House and The Studio. Moving the new building outside the existing footprint of the barn has even greater impact on these listed buildings regarding loss of privacy and being overlooked. The existing barn is appropriate to its rural location.
- 4) Chapel End Lane is a single lane with 14 dwellings and we already have traffic and inadequate parking problems. Increased traffic created by another house will make the situation even worse. Visitors, service vehicles, deliveries (of which there are numerous every day), dog walkers and ramblers all use the area in front of the barn to park in. This will not be possible with the new plan as they would be blocking off the three new car

spaces, for the new house. They will therefore be forced to park in the lane thereby causing even more traffic issues. Larger delivery and service vehicles, such as oil tankers, will not be able to access the end of the lane easily. Emergency vehicles will have a problem gaining access to the end of the lane where there are several elderly and retired residents. ALL 14 residences in Chapel End Lane are against the development.

- 5) The barn and the lane are prone to flooding and have been flooded many times over the years. Only two years ago when Wilstone and Long Marston experienced bad flooding, the barn and the lane was totally flooded and the farmer had to abandon its use. The house will be liable to flooding and permission to build on a known flood risk should not be granted. The Environment Agency's map identifying Risk of Flooding from Surface Water identifies that the site is at a High risk of flooding. There is no doubt that a Flood Risk Assessment is required in order to demonstrate that the proposal will not increase flood risk to the development site or the surrounding area. The Local Lead Flood Authority should be consulted on the application and should require demonstration of a viable method of surface water disposal to be provided at planning stage.
- 6) The Application Form is inaccurate and misleading. The applicant has, yet again, provided false information by claiming to live in Church Farm House. This is misleading and has caused confusion and this alone should be sufficient for it to be rejected.

I trust that reasons of failure in Principle by changing an agricultural building into a domestic dwelling in a Conservation area, Visual Intrusion, Loss of Privacy, being Overlooked, the presence of Bats and Owls, Flood Risk, increased Traffic and Inadequate Parking issues in the lane and an erroneous application are enough reasons for permission to be withheld.

POPPY COTTAGE, CHAPEL END LANE, WILSTONE, TRING, HP23 4NY

As the owner of a property which adjoins the application site I wish to object to this planning application.

The application should be determined in accordance with the relevant policies in the Development Plan, as expressed in Section 38(6) of the Planning and Compulsory Purchase Act 2004, unless material considerations indicate otherwise. In this case the proposal does not accord with the relevant policies in the Development Plan and the harm to policy that would be caused by granting planning permission for this unsustainable form of development would not be outweighed by any material planning considerations for the following reasons:

- The site is not within the defined settlement of Wilstone and is in the Rural Area where Core Strategy policy CS7 applies. In the Rural Area this policy only allows for the replacement of existing buildings for the same use, not for change to residential use. Although it also allows for the redevelopment of previously developed sites, as the site is in agricultural use it does not fall within the definition of previously developed land in Annex 2 to the National Planning Policy Framework (Framework), which specifically excludes "land that is or has been occupied by agriculture or forestry buildings".

Therefore, the development is unacceptable in principle and with the harm that it will cause and the absence of special circumstances to justify the proposal it should not be entertained.

- The site is prone to flooding and is not suitable for residential use. In the spring of 2014, when Long Marston and Wilstone experienced flooding, water was running across the access track and into the existing barn. The site has critical drainage problems and is not accompanied by a Flood Risk Assessment. The Environment Agency's map identifying Risk of Flooding from Surface Water identifies that the site is at a High risk of flooding. There is no doubt that a Flood Risk Assessment is required in order to demonstrate that the proposal will not increase flood risk to the development site or the surrounding area. The Design and Access Statement submitted in support of the application states that water harvesting technologies will be used to reduce water run off to help mitigate flooding in the area, but no details of what is proposed and how it would achieve this objective are provided. The applicant has not demonstrated that the surface water runoff generated by the site can drain sustainably without increasing flood risk to the site or elsewhere, to comply with paragraph 164 of the Framework. Surface water drainage should inform the site layout, allowing for a gravity fed system and ensuring adequate space for above ground SuDS components. The Local Lead Flood Authority should be consulted on the application and should require demonstration of a viable method of surface water disposal to be provided at planning stage.

- While the proposal will result in a reduction in footprint and volume of development, which would benefit openness, the domestication of the site resulting from the replacement of the existing barns with a dwelling with the associated activity and light pollution in what is currently a tranquil location will not enhance biodiversity or enhance the conservation area, as suggested in the Design and Access Statement. The simple form of the existing barn is appropriate to its rural location. Although it is clad in corrugated fibre cement sheeting, this is a material often used on rural buildings and in any event could be replaced with black stained weatherboarding and achieve the improvements in appearance outlined in the Statement without the need to introduce an additional dwelling in this inappropriate and unsustainable location.

- The existing buildings are frequented by bats and by Barn and Little Owls. Therefore, their removal would harm biodiversity and is unacceptable, as it would result in the loss of habitat for these species, which are protected by law. No surveys have been submitted with the application to allow the local planning authority to assess the impacts of the development on protected wildlife and while the Design and Access Statement suggests that log piles, bat and bird boxes and log piles would be provided in the garden, no details are provided of these on the submitted plans. The benefits of the proposal do not amount to special circumstances that outweigh the significant harm of this proposal to biodiversity, despite the unsubstantiated claims to the contrary.

- The submitted Design and Access Statement asserts that the existing barns are unsightly and have a negative impact on the conservation area. It also asserts that their replacement with a dwelling with an "Essex barn" aesthetic will enhance the area. However, the removal of the barns, which are rural in character and appropriate to their location, with a replacement building of insufficiently high quality together with the

domestication of the site will harm the character and appearance of Wilstone Conservation Area and its significance as a designated heritage asset, contrary to the statutory test, local plan policy and national guidance.

- Although the Statement claims an "Essex barn" aesthetic it is clear that the design of the dwelling attempts to achieve the aesthetic of a traditional threshing barn, which often had tall gabled porches to the front and rear each side of the threshing floor. However, the design is an illiterate interpretation of a threshing barn as the porches are staggered and are clearly included for the sole purpose of introducing windows and first floor level. Also, the pitch of the roof is inappropriately low and the use of slate instead of plain tiles further demonstrates the lack of understanding of traditional barns in Hertfordshire, as does the inclusion of half-hips, which are a rare feature on Hertfordshire threshing barns. While the adjacent barns have similarly pitched fully hipped roofs, they are of a simpler form without porches and belong to a more recent period of history than the threshing barns the design attempts to emulate.
- The proposed replacement building is not of sufficiently good design for the sensitive location in the Conservation Area and in the setting of Church Farm House, a grade II listed building. The application form states that roof will be of "slate effect tiles", further demonstrating a lack of appreciation of the quality needed for this sensitive context and no information is provided of what material the permeable parking spaces will be paved in. The domestic appearance of the building, due to the distribution of windows and glazed doors is not appropriate to this sensitive location and in our view would cause less than substantial harm to Wilstone Conservation Area and the setting of Church Farm House, without any public benefits being identified or existing that could outweigh the harm, contrary to the requirements of paragraph 197 of the Framework. This is also contrary to the requirements of paragraph 124 of the Framework, which identifies that good design is a key aspect of sustainable development.
- The design includes windows and glazed doors serving bedrooms which overlook my own property, Poppy Cottage aswell as, the gardens of Church Farm House, The Studio , this will affect the privacy and enjoyment of all our private amenity spaces. In particular the proposed glazed doors at first floor level to the south-east elevation will directly overlook the private rear garden of our property, Poppy Cottage from one of the bedrooms. This would cause unacceptable harm to our living conditions.
- The site includes part of a public footpath and will significantly harm the rural character of the area enjoyed from this footpath both due to the inappropriate design of the building and the domestic use of the garden. The footpath forms part of the Black Popular Trail.
- Although the existing buildings are of no architectural or historic interest they are rural in character and are appropriate to their location. Their appearance could be improved without their replacement with a new dwelling and if they were to be lost that would benefit the openness and appearance of the countryside.
- The unmade track that serves the site is also a public footpath and there would be potential conflict between pedestrians and users of the footpath.

- Once AGAIN the application form states that the applicant, Mrs Anne Johnson, resides at Church Farm House, whereas it is owned and occupied by my neighbours John and Catherine Tod. There is no justification for this misleading error.

For the reasons given I consider the proposal does not accord with the Development Plan and would cause harm to issues of acknowledged importance, including the statutory duty to preserve or enhance the character or appearance of the Conservation Area, the setting of a listed building, the living conditions of the occupants of neighbouring properties, biodiversity, pedestrian safety and due to the absence of good design. There are no material or special circumstances to outweigh the significant harm that would arise from this development if granted. We, therefore, urge the local planning authority to refuse this unsustainable and ill-conceived proposal.

It is inconceivable that the local planning authority could grant the application given the above, not least due to the significant overlooking of the rear garden of our property from the glazed doors at first floor level. However, if an application were ever to be approved I request that Permitted Development rights be removed for all extensions and alterations to the dwelling and for oil tanks and outbuildings under Schedule 2 Part 1 Classes A, B, C, D and E of the GPDO 2015, in order to safeguard the countryside from encroachment and safeguard the character and appearance of the Conservation Area.

THE STUDIO, CHURCH FARM HOUSE, 7 CHAPEL END LANE WILSTONE, TRING, HP23 4NY

As the resident in the property adjacent to this proposed development, I am objecting to this planning application for the following reasons:

- The proposed development is sited within a conservation area and I'm worried that approval of this scheme will open up the site to further development in future
- I concerned about loss of privacy. The proposed development has a number of windows overlooking the property where I reside ('The Studio'). There is no residential property present on the proposed site currently - and the proposed residential scheme features a number of windows which will overlook The Studio.
- If this scheme is approved the resulting residential property will cause me to suffer further disturbance through the creation of light pollution when lights are on in the property at night.

I ask the planning offers to factor in my objections when considering this application.

THE OLD BARN, CHAPEL END LANE, WILSTONE, TRING HP23 4NY

My objection is two fold:-

- (i) Such a development has no place in a conservation area
- (ii) On a practical level the development is at the end of a single track lane with limited

parking & restricted access/turning for delivery vehicles already. Such infrastructure does not allow for increased vehicle usage.

CHAPEL END BARN, CHAPEL END LANE, WILSTONE, TRING HP23 4NY

We formally object to planning application 4/02469/18/FUL.

Latest application makes no reference to two prior applications, simply a variation on previous applications by the same Mrs Anne Johnson for the same site- yet again the applicant uses an address not owned or lived in by Mrs Johnson. We previously objected 10th June 2018 to application 4/01232/18/FUL.

Regardless of the quality of the intended development, we unequivocally object on the basis the site is within Wilstone's Conservation Area Boundary as detailed on Darorum's website: [http://www.dacorum.gov.uk/docs/default-source/strategic-planning/wilstone-\(pdf-2-37-mb\).pdf](http://www.dacorum.gov.uk/docs/default-source/strategic-planning/wilstone-(pdf-2-37-mb).pdf).

How can a proposal be considered in a designated Conservation Area ? How is it possible or necessary to build a luxury house in a Conservation Area which, contrary to the planners suggestion, would be detrimental to existing residents and adjacent land. Dacorum's website section on Conservation Areas talks of "special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance". The proposed building would by its very nature be a new build, would in no way enhance and has no place within a designated Conservation Area. The agricultural buildings proposed for destruction are part of the rural fabric we live in and should remain.

We object on the basis of the proposed site not being within the defined settlement boundary of Wilstone where Core Strategy Policy CS7 applies- Rural Area Policy allows for replacement of existing buildings for the same use and not for a developer to change to residential use. The developers suggestion derelict building's are an eyesore is not an opinion garnered by a survey but a falsehood based on their intention to develop the site in order to sell. To us the existing buildings are an integral part of the rural fabric, an important reminder of the lands agricultural heritage and currently offer sanctuary to creatures including owls, bats, birds, insects and pollinators.

If the development is allowed to go ahead, what state does it leave the Conservation Area? What will Dacorum do to ensure no subsequent developments are permitted adjacent to the proposed site or require access from Chapel End Lane?

A section of the site boundary runs alongside a beautiful stretch of Conservation Area public footpath, Black Popular Trail, and will significantly harm its rural character, spoiling the views for all. It is imperative existing buffers between settlement boundaries and working agricultural land are protected.

Chapel End Lane is a no-through single track lane. Parking and access is already constricted and development of the site, both during its construction and eventual settlement, will compound the issue. Additional traffic will add pressure on resident

parking, Emergency Services and Dacorum's Waste Collection. As a Conservation Area with interlinked Grade II listed properties and Essex style barns it is imperative emergency services get through unimpeded.

The newly re-submitted proposal is very much visible from our property- whilst marginally further away, its new orientation will have a significant bearing on our view of the agricultural land, especially from our main entrance, sitting room and master bedroom all overlooking the North-East elevation with the number of windows having increased from four to six plus a front door.

To summarise we object to the proposed plan for the following reasons:

- Loss of Conservation Area
- Loss of rural views from our property
- Destruction of historical agricultural buildings
- Inappropriate new build within Conservation Area
- Loss of privacy owing to direct visual intrusion
- Too many windows in direct view
- Increased traffic
- No thru road- compromise of turning point
- Endangerment to emergency access
- Loss of temporary parking

COUNCILLOR CONWAY

The application will affect the setting of the listed farmhouse. The new orientation of the property will also result in loss of privacy to the residents of this property, conflicting with the aims of the Core Strategy, Policy CS12 (c). Chapel End Lane is narrow and there are existing issues with parking. The proposal will emphasise this issue, at odds with Policy CS12 (b).

I also am concerned about the bats and owls in the existing barns – we will need to see what the report finds.