

<b>4/00630/19/FUL</b>	<b>CHANGE OF USE OF VACANT BARN TO DWELLING.</b>
<b>Site Address</b>	<b>THE BARN, NETTLEDEN ROAD, FRITHSDEN, HEMEL HEMPSTEAD, HP4 2RF</b>
<b>Applicant</b>	<b>Mr Cannon</b>
<b>Case Officer</b>	<b>Simon Dunn Lwin</b>
<b>Referral to Committee</b>	<b>Recommendation Contrary to the Parish Council Response</b>

## **1. Recommendation**

1.1 That planning permission be **GRANTED**.

## **2. Summary**

2.1 The principle of the proposal to convert the existing vacant barn to a small dwelling is considered appropriate and acceptable which accords with the NPPF and Policies CS5, CS7 and CS24 of the Adopted Core Strategy. The scheme is considered to be a good quality development that would help meet the need for new housing and bring a redundant building back into beneficial use, without harming the environment, compromise highways safety or local amenity. Subject to conditions on the approval of further details on materials and landscaping, the proposal is considered to comply with all other relevant policies set out under section 6 of the report. Permission should therefore be granted.

## **3. Site Description**

3.1 The application site is located adjacent to Nettleden Road on elevated ground behind mature hedging and trees, approximately 600m to the southeast of Frithsden Village. It is situated within the Green Belt and the Chilterns Area of Outstanding Natural Beauty (AONB). The site covers an area of approximately 0.18 hectares and contains a single storey vacant barn, which is rectangular in shape, together with a dilapidated small shed to the west. The site is accessed directly from an open gated entrance on Nettleden Road. The access track rises steeply by approximately 2.8m from road level to the barn, which is situated about 35m to the west of the entrance. The access track continues for about 70m on to Folly's Farm Donkey Sanctuary, located at the western end of the level track. The land opposite rises by about 30/40m into open countryside, towards Potten End to the southwest.

3.2 The barn was previously used for the stabling of horses. The dilapidated shed to the west was previously described as a 'chicken coup'. The barn is believed to have a long period of vacancy since planning permission was granted in 2005 for the change of use to a B1 office. There is no evidence to suggest the permission was ever implemented and this permission has since lapsed. The building measures approximately 6m in width by 18m in length, with a height of 2.7m to eaves and 4.5m to ridge. It is brick built structure covered by a corrugated metal roof and has an internal floor area of approximately 104 sq.m.

## **4. Proposal**

4.1 This application seeks full planning permission for the change of use of the vacant barn to a two bedroom dwelling with car parking and amenity space. The proposal includes external alterations to doors, windows and roof to facilitate the conversion. The existing dilapidated chicken shed is to be removed.

## **5. Relevant Planning History**

4/00096/10/DRC DETAILS OF A SCHEME FOR THE STORAGE OF REFUSE AS REQUIRED BY CONDITION 9 OF PLANNING PERMISSION 4/00121/05 (CONVERSION OF BARN (ADJACENT TO NETTLEDEN ROAD) TO OFFICE)  
Granted  
10/03/2010

4/01813/09/DR C DETAILS OF MATERIALS AND SCHEME TO SEAL THE SITE ACCESSWAY AS REQUIRED BY CONDITIONS 2 AND 5 OF PLANNING PERMISSION 4/00121/05 (CONVERSION OF BARN (ADJACENT NETTLEDEN ROAD) TO OFFICE)  
Granted  
20/01/2010

4/00121/05/FUL CONVERSION OF BARN (ADJACENT NETTLEDEN ROAD) TO OFFICE  
Granted  
14/03/2005

## **6. Policies**

### 6.1 National Policy Guidance

National Planning Policy Framework (NPPF) 2019  
National Planning Policy Guidance (NPPG)

### 6.2 Adopted Core Strategy –

NP1 – Supporting Development  
CS1- Distribution of Development  
CS2 - Selection of Development Sites  
CS5 - Green Belt  
CS7 – Rural Area  
CS8 - Sustainable Transport  
CS12 - Quality of Site Design  
CS17 - New Housing  
CS24 - The Chilterns Area of Outstanding Natural Beauty  
CS26 – Green Infrastructure

### 6.3 Saved Policies of the Dacorum Borough Local Plan

Policy 18 - The Size of New Dwellings

Policy 19 - Conversions

Policy 21 - Density of Residential Development

Policy 51 - Development and Transport Impacts

Policy 58 - Private Parking Provision

Policy 97 - Area of Outstanding Natural Beauty

Policy 99 - Preservation of Trees, Hedgerows and Woodlands

Appendix 3 - Gardens and Amenity Space

Appendix 5 - Parking Provision

#### 6.4 Supplementary Planning Guidance / Documents

- Environmental Guidelines (May 2004)
- Chilterns Buildings Design Guide (Feb 2013)
- Accessibility Zones For The Application of Car Parking Standards (2002)

#### **7. Constraints**

- Article 4 Directions – Removing agricultural permitted development rights
- Chilterns AONB
- Green Belt
- Area of Special Control For Adverts

#### **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 The main issues to consider are:

- Policy and principle

- Impact on Green Belt
- Layout, design and Materials
- Impact on the AONB
- Impact on Highway Safety, Access and Parking
- Impact on Trees and Landscaping
- Other considerations

### Policy and Principle

9.2 The vacant barn is an existing building located within the Green Belt and the Rural Area wherein the NPPF, and Policies CS5 and CS7 of the Core Strategy apply. Policy CS5 is subservient to the NPPF and sets out the measures to protect the openness and permanence of the Green Belt from unrestricted development. The default position is one which regards most, if not all, development within the Green Belt as inappropriate, except specific types of development exempted under paragraph 145, other forms of development defined under paragraphs 146 and those which qualify under 'very special circumstances'. Added to which, consideration must be given to the special designation of the countryside within the Chilterns Area of Outstanding Natural Beauty. The impact on the AONB is considered further below.

9.3 The exceptions to inappropriate development in the Green Belt relevant to the proposal is defined under paragraphs 145 g) and 146 d) of the NPPF. The first is 'the partial or complete redevelopment of previously developed land (PDL), whether redundant or in continuing use (excluding temporary buildings), provided that it does not have a greater impact on the openness of the Green Belt than the existing development'. Paragraph 146 d) defines certain 'forms of development' which are not inappropriate and they include the 're-use of buildings, provided that the buildings are of permanent and substantial construction'.

9.4 The previous use of the barn as stables meets the test for PDL under paragraph 145 g) as defined in the NPPF because it was not in agricultural use and qualifying for partial or complete redevelopment status, and for the re-use as a permanent and substantial construction. The latter is evidenced by the supporting structural survey to verify that the building is structurally sound to facilitate the proposal. This consideration is further corroborated by the previous permission for the change of use of the barn to a B1 office. This permission is a material consideration which carries substantial weight. By default and consistent with the NPPF, the proposal is Core Strategy Policies CS5 and CS7 compliant. It would also be compliant with saved Policy 19 of the Local Plan on conversions which permits the reuse of buildings in the countryside to incorporate flats or houses. Therefore, the principle of the proposal is considered acceptable.

### Impact on the Green Belt

9.5 The second test under Paragraph 145 g) requires an assessment of whether the proposed development would have a greater impact on the openness of the Green Belt than the existing development. The reuse of the building as a 2 bedroom dwelling is considered to have less impact in terms of the comings and goings of people and cars associated with the previously authorised commercial use as a B1 office. Technically this is relevant as the fall back position, albeit the permission has

since lapsed. It could nevertheless be renewed under the current policy regime. While it is accepted that there would be activity all year round with domestic paraphernalia associated with a dwelling, the scale of the domestic use proposed is considered minimal.

9.6 Furthermore, the barn is in a discrete and unobtrusive location, concealed behind a dense hedge/tree line of substantial height on Nettleden Road to the north. It sits at a much lower point to the surrounding undulating countryside to the south. The nearest public receptor to the south is the Public Right of Way (Nettleden and Potten End 005) located approximately 212m to the southwest on higher ground, elevated by approximately 30m above the site. Other PROWs in the area are located to the south and east at approximately 283m and 312m respectively. All have intervening hedgerows and trees to obscure long distant views to the existing barn.

9.7 In view of the above, it is not considered that the proposal will have a greater impact on the openness of the Green Belt than the existing development, having regard to the planning history, the context of the site and presence of Folly's Farm in close proximity, together with dwellings further afield to the west and east along Nettleden Road.

#### Layout, Design and Materials

9.8 The modest building would lend itself to conversion into a two bedroom dwelling, utilising existing openings to be replaced by stained timber windows with shutters, an entrance door to replace the large double timber doors on the west elevation, and a door to the eastern façade. The building is proposed to be clad in timber boarding above a lower exposed brick plinth. The proposed external treatment is considered acceptable and should enhance its rustic appearance, subject to details of materials to be approved. The roof covering proposed is a standing seam silver/grey coloured powder coated metal roof, which would replace the existing corrugated metal roof.

9.9 Internally, partitions would facilitate the provision of two bedrooms (one double and one single), a shared bathroom, with an open plan living area integrating a kitchen, with a separate hall way and WC by the main entrance at the western end.

9.10. Externally, four car parking spaces are provided and laid out at right angle to the access road and adjacent to the western front entrance. The eastern door would serve as a patio door to the main bedroom. Private amenity space proposed is a side garden beyond the car park to the west, where the existing dilapidated shed is to be removed.

9.11 The layout, design and materials proposed are considered sympathetic to the rural setting and acceptable, subject to approval of materials, landscaping and boundary treatment.

#### Impact on the AONB

9.12 The Council's Design Officer has considered the proposal in the context of the AONB. The design and materials of the proposal as set out above are considered appropriate and acceptable, which would be sympathetic to the setting of the site

within the AONB. Conditions are recommended to ensure the details are acceptable. The proposal is therefore considered compliant with Policy CS24.

#### Impact on Trees and Landscaping

9.13 The existing boundary hedge and trees bordering Nettleden Road to the north are retained, and the proposal includes a garden area to the west. New planting and layout are not specified other than the quantum of amenity space, which is approximately 11.6m deep with an area of approximately 59 sq.m. The plans indicate a post and rail fence along the site boundary to the access road up to 1.5m in height. The Design officer has requested further details of the external landscaping treatment to ensure further consideration is given to avoid giving the site an overly domestic/suburban appearance. Landscaping and boundary treatment details for further approval is recommended, together with a condition to protect the existing hedge and trees on the northern boundary with Nettleden Road.

#### Impact on Highway Safety, Access and Parking

9.14 The County Highway Authority have confirmed that they have no objection from a highway safety perspective on access, servicing and parking, subject to a condition on the main entrance gates opening inwards to allow a pull-in area on Nettleden Road, which has the national speed limit. The current gates open outwards but they have been observed to remain open. However, this could potentially present a safety issue if the gates are closed negating sufficient pull-in area to swing the gates open. A condition is recommended to apply inward opening gates.

9.15 Appendix 5 of the saved Local Plan suggest a two bedroom dwelling in the rural area (zone 4) should provide 2 spaces. The car parking provision in the proposal amounts to 4 parking spaces laid out in between the barn and the garden are at right angles to the private access track. The proposal is policy compliant.

#### Other Considerations

##### Ecology

9.16 The County Ecologist has considered the proposal and in summary has no objection to the application subject to the imposition of conditions on landscaping details and the retention of the boundary hedging to the north, imposed on the previous permission for office use. Additionally, the barn is considered to be sub-optimal for bats to use for roosting because the current structure does not fit the conditions for roosting - stable temperatures and little or no light. However, a precautionary approach to the conversion works via an informative is recommended for bats and nesting birds in the locality during nesting season (March to August inclusive). The conditions and informatives are set out below.

#### Response to Neighbour comments

9.17 The concerns raised have been addressed above, specifically on highway and AONB/rural character impacts. Additionally, reference is made to saved Policy 110 of the Local Plan, but this policy has been deleted. In response to Policies CS5 and CS7 caveats, the reuse of the vacant barn to a dwelling would contribute to the local

economy by creating employment through the construction works (albeit temporary) and create continuing demand for local services in nearby villages. The refurbishment and reuse of the vacant barn and environs would also contribute to the on-going maintenance of the wider countryside, albeit on a small scale.

9.18 Reference is also made by the Parish Council and a neighbour to the recent refusal of planning permission (Ref: 4/00161/14/FUL), and the subsequent dismissal of the appeal (Ref: APP/A1910/A/14/2226110 dated 13<sup>th</sup> February 2015) relating to an agricultural barn conversion at Five Acres Farm, Nettleden Road, Potten End. The objections are based on the premise that the barn in this application is in agricultural use and therefore the proposal contravenes development plan policy. The issue of the former use of the application premises and its status as PDL (brownfield site) is addressed above.

### CIL

9.19 The development is not CIL liable because no net additional floor space is proposed.

### S106 and Planning Obligations

9.20 No planning obligations are applicable to the proposal.

## **10. Conclusion**

10.1 The principle of the proposal to convert the existing vacant barn to a small dwelling is considered appropriate and acceptable in accordance with the NPPF and Policies CS5, CS7 and CS24 of the Core Strategy. The scheme is considered to be a good quality development that would help meet the need for new housing and bring a redundant building back into beneficial use without harming the environment, compromise highways safety or local amenity. Subject to conditions on the approval of further details on materials and landscaping, among others, the proposal is considered to comply with all relevant policies as set out under section 6 of the report.

**11. 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 development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p>

	<p>443.8.2B - Site Layout Plan Received on 24th May 2019 with red line boundary.  443.8.3 - Proposed floorplan, elevations &amp; section.  443.8.4 OS Location Plan.  B/NR/1 - Site Plan.  Unnumbered floor plans/elevations/cross section (existing).</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>
3	<p>No development shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details. Please do not send materials to the council offices. Materials should be kept on site and arrangements made with the planning officer for inspection.</p> <p>Reason: To ensure a satisfactory appearance to the development.</p>
4	<p>The development hereby permitted shall not be occupied until the arrangements for vehicle parking shown on Drawing No. 443.8.2B shall have been provided, and they shall not be used thereafter otherwise than for the purposes approved.</p> <p>Reason: To ensure the adequate and satisfactory provision of off-street vehicle parking facilities.</p>
5	<p>Prior to the first use of the development hereby permitted any vehicular access gate(s) shall be hung to open inwards, set back, and thereafter retained at a minimum distance of 6 metres from the edge of the highway.</p> <p>Reason: To enable vehicles to safely draw off the highway before the gate(s) or obstruction is opened and/or closed in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).</p>
6	<p>There shall be no external lighting.</p> <p>Reason: In the interest of maintaining the rural character of the area.</p>
7	<p>The existing hedge and trees on the boundary of the site with Nettleden Road shall be permanently retained at a height of not less than 3 metres above ground level. Any part of the hedge or any trees. which become seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a species, size and maturity to be approved by the local planning authority.</p> <p>Reason: To preserve the character and appearance of the Chilterns AONB in accordance with Policy CS24 of the Adopted Core Strategy 2013.</p>
8	<p>No development shall take place until details of facilities for the storage of refuse shall have been submitted to and approved in writing by the local planning authority. The approved facilities shall then be provided before the development is first brought into use and they shall thereafter be permanently retained.</p> <p>Reason: To accord with Saved Policy 129 of the Dacorum Borough Local Plan 1991-2011.</p>

9	<p>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:</p> <p>Schedule 2 Part 1 Classes A, B, C, D, E, F, G and H Part 2 Classes A, B and C</p> <p>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.</p>
10	<p>No development shall take place until full details of both hard and soft landscape works shall have been submitted to and approved in writing by the local planning authority. These details shall include:</p> <p>hard surfacing materials; means of enclosure; soft landscape works which shall include planting plans and detailing native species composition for the new hedgerow on the southern boundary; with written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; trees to be retained and measures for their protection during construction works; proposed finished levels or contours; car parking layouts and other vehicle and pedestrian access and circulation areas; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc); proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc, indicating lines, manholes, supports etc); retained historic landscape features and proposals for restoration, where relevant.</p> <p>The approved landscape works shall be carried out prior to the first occupation of the development hereby permitted.</p> <p>Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area.</p> <p>Article 35</p> <p>Planning permission has been granted for this proposal. The Council acted pro-actively through early engagement with the applicant at the pre-application stage which lead 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 (Development</p>

<p>Management Procedure) (England) (Amendment No. 2) Order 2015.</p> <p>Hertfordshire County Council Highways Informatives</p> <p>1. 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 <a href="https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx">https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx</a> or by telephoning 0300 1234047.</p> <p>2. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence.</p> <p>Hertfordshire Ecology Informatives</p> <p>1. In the event of bats or evidence of them being found during before construction, work must stop immediately and advice taken on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England.</p> <p>2. It is possible that birds are using the barn and/or nearby trees and shrubs for nesting. Consequently, any tree/shrub and 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 two 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.</p>
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## Appendix A

### Consultation responses

NETTLEDEN WITH POTTEN END PARISH COUNCIL HIGHCROFT COTTAGE	09/05/2019	Objection	The Parish Council objects to the above application on grounds that it is not compatible with several core strategies in the local plan, does not conform to the Chiltern Conservation Management Board Plan, and would constitute a
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		<p>change of planning policy based on DBC decisions in respect of similar, previous applications. The barn in question is situated in the Green Belt as well as being part of the AONB. The latter area is especially protected, and attracts the highest status of protection for its landscape and scenic beauty, equal to National Parks.</p> <p>It was previously used as a stable, and in 2005 was granted permission for change of use to offices by DBC. We are of the view that this decision has limited applicability in the current application: Firstly, it was never implemented and ought therefore to have lapsed. Secondly, the decision was made over 14 years ago, and in the interim another such application has been refused. Finally, the local plan applicable at the time has been superseded by the current local plan, and there have been two, if not three, iterations of the Chilterns Conservation Board's Management Plan.</p> <p>Under the provisions of CS5, development in Green Belt, this development would be considered under subsection (d) the appropriate reuse of permanent, substantial buildings, provided that:</p> <ul style="list-style-type: none"><li>i. it has no significant impact on the character and appearance of the countryside; and</li><li>ii. it supports the rural economy and maintenance of the wider countryside.</li></ul> <p>We do not consider the development in this applications meets either of these criteria. CS7, which deal with Rural Areas, states similar limitations on what constitutes the appropriate reuse of permanent, substantial</p>
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		<p>buildings.</p> <p>We also note that CS24, which deals with development in the Chilterns AONB, emphasises that any development therein should 'have regard to the policies and actions set out in the Chilterns Conservation Board's Management Plan.' The current Plan (2014-2019) is in the process of being updated. In the current version, section D7 deals with the importance of retaining agricultural buildings for rural enterprise, and warns against losing such structures from productive use, pointing out that such buildings 'help in fostering the economic and social well-being of communities within the AONB.' It further states that '[p]ressure on this finite resource has increased due to changes in the Permitted Development Rights regime.'</p> <p>Whilst the above frameworks may be matters of judgement – what constitutes 'substantial', what amounts to 'significant impact', etc. – possibly the most relevant item is the decision taken by DBC planning dept in the matter of a similar application. In 2014, planning application 4/00161/14/FUL sought to convert a redundant farm building into a dwelling at Five Acres Farm, in a very similar position to the application propoerty. This was refused, and further refused on appeal. The reasons stated in the refusal document were:</p> <ol style="list-style-type: none"><li>1. The application site is located in the Green Belt. Within this area there is strict control over built development. Although the principle of reuse of buildings in the green belt is not necessarily inappropriate provided they preserve the openness of the Green Belt and do not conflict with</li></ol>
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		<p>the purposes of including land in the Green Belt. The reuse of the barn for residential purposes does not accord with the purposes of including land within the green belt specifically by failing to prevent encroachment into the green belt and not encouraging the recycling of derelict and other urban land (para.80 of the NPPF). The proposal would have a significant impact upon the character of the green belt removing a compatible agricultural use and introducing an encroaching and suburbanising residential dwelling, nor would the development support the rural economy or maintenance of the wider countryside the proposal is therefore contrary to CS5 of the Dacorum Core Strategy. The application has not satisfied saved DBLP policy 110 and failed to demonstrate the reuse of the building for more appropriate uses other than residential has been adequately investigated. The application does not propose the site as an exception affordable housing site and therefore is not an acceptable use and contrary to Core Strategy Policies CS5: Green Belt, CS19: Affordable Housing, CS20: Rural Sites for Affordable Homes and Affordable Housing SPD (2013).</p> <p>2. The application site is located within the Chilterns Area of Outstanding Natural Beauty (AONB). Within the AONB the prime consideration is the conservation of the natural beauty of the area. The proposed development, by reason of its size, siting and design, would be a suburbanising feature that would have a harmful effect on the visual amenities of the AONB. If planning permission were to be granted for the proposed development this</p>
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			<p>would further erode the character and appearance of the countryside causing harm to the visual amenities of the AONB. The proposal would therefore be contrary to the aims of Saved DBLP Policy 97. Likewise the proposal would not accord with Core Strategy Policy CS24 by failing to accord with the Draft Chiltern Conservation Management Board Plan 2014 - 2019 (2014) which is to be adopted imminently. Policy D7 of this plan encourages retention of agricultural buildings with residential use as a last resort. These considerations would appear to be equally applicable to the current application. Finally, we are concerned that should this be granted, it would create a precedent for such conversions that would be difficult to argue against.</p>
DBC - CONSERVATION	29/05/2019	No Objection	<p>The application proposes the conversion of a late 20th century brick built barn / store to a residential dwelling. The brick barn has previously been used for stabling and in 2005 received consent for conversion to an office.</p> <p>The application site lies within the Green Belt and the Chilterns AONB. The Chilterns were designated as an Area of Outstanding Natural Beauty (AONB) in 1965 by the Government. The primary purpose of the designation is the conservation and enhancement of the natural beauty of the landscape, which includes wildlife, physiographic features and cultural heritage as well as the more conventional concepts of</p>

		<p>landscape and scenery. New development within the Chilterns AONB is expected to be sympathetic to it in terms of design and materials.</p> <p>New door / window openings will be required as part of the proposed conversion – the opening sizes and inclusion of shutters seem appropriate. It would be preferable if the number of roof lights could be reduced or omitted completely.</p> <p>In terms of materials the converted barn will include stained horizontal timber cladding over brick plinth, stained timber doors and windows and a standing seam silver / grey powder coated roof. The Chilterns Design Guide does encourage the use of clay tiles or natural slate for roofing; in this case the roof pitch may be too low for either of these options but this should be given further consideration. The proposed standing seam roof will have a more contemporary feel to it which may be acceptable subject to detailing and having a grey / matte finish however I would suggest a condition is applied to control all external construction materials if consent is granted.</p> <p>The landscaping treatment will need further consideration and should avoid giving the site an overly domestic / suburban appearance. This should be detailed as a condition of any consent.</p> <p>The conversion of the barn to residential use as shown is generally supported however it is recommended the proposed roof lights are omitted from the scheme.</p>
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<p>HCC - Dacorum Network Area HERTS COUNTY COUNCIL</p>	<p>05/04/2019</p>	<p>No Objection</p>	<p>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 subject to the following condition: 1) Access Gates – Configuration Prior to the first use of the development hereby permitted any vehicular access gate(s) shall be hung to open inwards, set back, and thereafter retained a minimum distance of 6 metres from the edge of the highway. Reason: To enable vehicles to safely draw off the highway before the gate(s) or obstruction is opened and/or closed in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018). Highway Informative: Hertfordshire County Council (HCC) recommends inclusion of the following highway informative / advisory note (AN) to ensure that any works within the public highway are carried out in accordance with the provisions of the Highway Act 1980: AN) 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 <a href="https://www.hertfordshire.gov.uk/s">https://www.hertfordshire.gov.uk/s</a></p>

		<p>ervices/highways-roads-and-pavements/highways-roads-and-pavements.aspx or by telephoning 0300 1234047.</p> <p>AN) Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence.</p> <p>COMMENTS / ANALYSIS: The application comprises of the change of use of an office building to a residential dwelling at The Barn, Nettleden Road, Frithsden. Nettleden Road is designated as an unclassified local access road, subject to a speed limit of 60mph and highway maintainable at public expense. Although having permission for use as an office, the building is currently used for stables.</p> <p>ACCESS &amp; PARKING: The proposals do not include any new/altered vehicular or pedestrian access from the highway. The existing vehicle entrance and present inter vehicle to vehicle visibility from the access is deemed to be satisfactory and acceptable and in accordance with guidelines in Roads in Hertfordshire; A Design Guide and Manual for Streets (MfS).</p> <p>The proposals include four car parking spaces (the same as existing) and there is sufficient space on site to enable vehicles to turn around and egress to the</p>
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		<p>highway in forward gear, which is acceptable. The applicant is reminded that Dacorum Borough Council (DBC) is the parking authority for the district and therefore ultimately should be satisfied with the levels of parking.</p> <p><b>EMERGENCY VEHICLE ACCESS:</b> The proposed dwellings would be within the recommended emergency vehicle access of 45 metres from the highway to all parts of the building. This is in accordance with the guidance in MfS, Roads in Hertfordshire; A Design Guide and Building Regulations 2010: Fire Safety Approved Document B Vol 1 – Dwellinghouses.</p> <p><b>WASTE COLLECTION:</b> Provision would need to be made for an on-site refuse/recycling store within 30m of the dwelling and within 25m of the kerbside/bin collection point. All bins must not be stored on the highway verge and the collection method must be confirmed as acceptable by DBC waste management.</p> <p><b>CONCLUSION:</b> HCC as Highway Authority has considered that the proposals would not have an unreasonable or significant impact on the safety and operation of the surrounding highway network. HCC has no objections or further comments on highway grounds to the application, subject to the inclusion of the above informatives and condition in relation to vehicular entrance gates.</p>
<p>HERTFORDSHIRE ENVIRONMENTAL RECORD CENTRE ENVIRONMENTAL RESOURCE PLANNING</p>	<p>30/05/2019</p>	<p>Thank you for consulting Hertfordshire Ecology on the above.</p> <p>I am not aware of any habitat or species data for the application site, which is a barn in a rural</p>

		<p>location, close to agricultural grasslands, mature hedgerows and broadleaved woodlands. There are records of roosting bats in buildings in the vicinity.</p> <p>Hedgerow I understand the barn has extant planning permission for conversion to an office (4/00121/05/FUL). The associated decision notice includes Condition 8 relating to the existing boundary hedge:</p> <p>The existing hedge on the boundary of the site with Nettleden Road shall be permanently retained at a height of not less than 2 metres above ground level. Any part of the hedge which becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a species, size and maturity to be approved by the local planning authority</p> <p>Reason: To preserve the character and appearance of the Chilterns AONB.</p> <p>I advise a similar Condition be added to this application should permission be granted.</p> <p>I am pleased to see a new hedgerow is proposed for the southern boundary, and this should comprise native hedgerow shrub and tree species known to thrive in the area (such as Blackthorn, Hawthorn, Elder, Hazel, Field maple, Crab apple). This will provide blossom, fruit (berries) and nectar to support local wildlife, act as a green corridor for foraging and commuting species, and help</p>
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		<p>deliver overall biodiversity net gain for the site as expected in NPPF and local planning policy documents. It will also complement the character of the AONB. The planting of this new native-species hedgerow should ideally be a Condition of approval if appropriate, or otherwise added as an Informative as a minimum. I can suggest the following wording (or similar):</p> <p>'A Landscape Plan detailing the native species composition for the new hedgerow on the southern boundary shall be submitted to the Local Planning Authority for written approval. It should include native hedgerow species known to thrive in the area.'</p> <p>Reason: to ensure biodiversity enhancement and net gain at the site is achieved'</p> <p>Bats</p> <p>The barn is brick built with a corrugated sheet roof (largely metal but with some plastic areas that allow light in). The roof is suspended above the brick walls, which will allow for internal fluctuations in temperature to reflect those outside to some extent. There appears to be some tight-fitting cladding above the double doors. Bats prefer roosting conditions with stable temperatures and little or no light. On balance, I consider the barn to be sub-optimal for bats to use for roosting and I do not consider a survey is necessary in this instance.</p> <p>However, due to the rural location of the barn, the presence of suitable foraging / commuting habitat (hedgerow) nearby, and records of roosting bats in close</p>
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			<p>proximity, I advise a precautionary approach to the conversion works is taken. I recommend the following Informative is added to any consent given:</p> <p>'In the event of bats or evidence of them being found, work must stop immediately and advice taken on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England'</p> <p><b>Nesting birds</b> It is possible that birds are using the barn and/or nearby trees and shrubs for nesting. Consequently, any tree/shrub and 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 two 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.</p> <p>I trust these comments are of assistance.</p>
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**Consultees: not responded**

THE CHILTERN SOCIETY THE CHILTERN SOCIETY OFFICE			
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THAMES WATER UTILITIES DEVELOPMENT CONTROL			
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THREE VALLEYS WATER PLC (AFFINITY WATER)			
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AFFINITY WATER			
DBC - STRATEGIC PLANNING			
DBC - BUILDING CONTROL			

## Appendix B

### Neighbour notification/site notice responses

#### Objections

Address	Comments
FRITHSDEN COTTAGE,FRITHSDEN LANE,FRITHSDEN,HEM EL HEMPSTEAD,HP1 3DD	<p>I am the Chairman of the Nettleden, Frithsden and District Society and am commenting on behalf of the Committee.</p> <p>We are concerned that the proposed conversion is requested in a location which is both Green Belt and a designated Area of Outstanding Natural Beauty. The site is very clearly visible from two major and well used public footpaths.</p> <p>The Society has opposed similar applications in the past. We are also concerned that there are a number of buildings, shacks, stables, field shelters and the like all along the fields that border Nettleden Road in that area and we are concerned that the granting of a change of use permission would inevitably be the forerunner to a string of such applications along that road, leading to major ribbon development.</p> <p>The road is narrow and dangerous, with several blind bends and no speed restriction below 60mph. The road is heavily used by horse riders (there are two stable yards adjoining the relevant stretch the road and several more within a mile of the site). The road is also on a major cycle route. That stretch of road has already been the site of many car, motor bike and other accidents and serious injury to people and horses is, in our view, inevitable. Any new development along that road would inevitably increase the traffic along there, need access points which would be bound to be in dangerous places and result in even more serious dangers to the road users.</p>
THE OLD FARMHOUSE,NETTLED	I would like to draw the Council's attention to the following points for consideration in relation to this

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ROAD,FRITHSDEN,HEM  
EL HEMPSTEAD,HP1  
3DG

planning application:

The barn shares access to the Nettleden Road with the Donkey Sanctuary. The structure was originally an agricultural barn. The site is totally unsuitable for development into anything which will increase traffic to and from that access point as it is situated on a very dangerous bend in the road.

The site of the barn lies within the AONB and on Green Belt land. As such policies relating to the AONB including the Chiltern Conservation Management Plan apply. The site is also clearly visible from local footpaths.

3. there are a number of agricultural buildings dotted along the length of the south side of Nettleden Road from the Donkey Sanctuary to Five Acres Farm opposite the turning to the Alford Arms Pub. Five Acres Farm has been the subject of several applications to convert the barn into a residential dwelling and two planning appeals in 2004 and 2014 (Appeal ref APP/A1910/A/14/2226110), both of which were unsuccessful. I would draw the Council's attention to the planning inspector's findings in the 2014 appeal, in particular:

a) The proposal constituted inappropriate development in the Green Belt

b) The introduction of domestic development would significantly adversely affect the character and appearance of this high quality rural landscape

c) Saved policy 110 in the Local Plan does not allow the re-use of buildings of this nature unless reasonable efforts have been made to secure business, recreation or tourism related uses ( in this case as the conversion to offices never took place no efforts of this nature have been made nor to let or sell the barn for its original agricultural use.)

d) Policy D7 in the Chilterns AONB Management plan 2014-19 encourages the retention of agricultural buildings for rural enterprise.

I would suggest that the same considerations apply in this case.

4. In addition, since then, the new draft Chiltern Conservation Management Board Plan 2019 - 2024

	<p>focuses on the problems of development 'creep' within the AONB and states that "even small scale, cumulative changes to land and buildings can materially harm the natural beauty of the Chilterns AONB". This proposal is contrary to draft policy DP1 and DP2 of that draft plan .</p> <p>5.It is also, I suggest, contrary to :</p> <ol style="list-style-type: none"><li>1. adopted Core Strategy Policy CS5 as the development will have a significant impact on the character and development of the countryside and it does not support the rural economy and maintenance of the wider countryside.</li><li>2. Adopted Core Strategy Policy CS7 as it does not constitute appropriate re-use of permanent substantial buildings</li><li>3. Adopted Core Strategy Policy CS24 as it does not conserve the AONB or comply with the Chilterns Conservation Board's Management plan .</li></ol> <p>If efforts are not made to prevent the conversion of agricultural buildings to residential use along this stretch of road, and within the villages of Frithsden and Nettleden, a very dangerous precedent will be created for the conversion of all the other barns/structures currently in agricultural use to domestic dwellings which would have a significant adverse impact on the character of the AONB, would lead to further traffic problems on a very dangerous stretch of road and given its location far away from any public transport links does not meet current strategy in terms of minimising car usage.</p>
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