

ITEM NUMBER: 5d

4/02109/19/FUL	Site fencing and hardstanding (retrospective)	
Site Address:	Land Off Pipers Hill/ Church Meadow Pipers Hill Great Gaddesden	
Applicant/Agent:	C/O Agent	Parry
Case Officer:	Jane Miller	
Parish/Ward:	Great Gaddesden Parish Council	Watling
Referral to Committee:	Contrary to the views of Great Gaddesden Parish Council	

1. RECOMMENDATION

That planning permission be **GRANTED** subject to conditions.

2. SUMMARY

- 2.1 The application seeks permission for site boundary fencing 1.8m (retrospective) to support an agricultural use; to alter part of the fence; and the alteration and completion of hardstanding within the Rural Area and is considered to be acceptable in principle, in accordance with CS7 of the Dacorum Borough Core Strategy (2013).
- 2.2 The proposal is considered acceptable within the Rural Area and would not have a significant impact on the appearance and character of the Chilterns Area of Outstanding Natural Beauty, Great Gaddesden Conservation Area, surrounding area, residential amenity of the surrounding properties and highway safety. The proposed development therefore complies with the National Planning Policy Framework (2019) and Policies, CS7, CS12, CS24 and CS27 of the Core Strategy (2013).

3 SITE DESCRIPTION

- 3.1 The application site outlined in red on the site plan and location plan forming part of Drawing No. 2476-01 Rev D, denoting the position of the fence, lies to the north east of Church Meadow, and takes in the corner with Pipers Hill within the Great Gaddesden Conservation Area.
- 3.2 The extent of the site for the purposes of this application comprises a narrow strip of boundary land which with the exception of the existing playing field opposite Great Gaddesden School, runs along Church Meadow from the northwest in a south easterly direction and continues just past the corner with Pipers Hill. Towards the south-eastern corner with the application site, there is an existing gated access, and the site takes in the partially completed relatively small area of hardstanding behind the gates.
- 3.3 The wider site, known locally as Bishop's Tip, on which this application forms a small part of, is indicated by the blue boundary as shown on the location plan 1:1250 part of Drawing No. 2476-01 rev D and lies between Church Meadow (the highway), and The River Gade to the north east. Hemel Hempstead Garden Centre and the B440, Dagnall Road, lie beyond the wider site to the east, whilst the main hub of the village,

Great Gaddesden, including the majority of dwelling houses, school and the church lie to the west and south west.

- 3.4 The current land use is agricultural, as noted on the decision notice for the previously granted and implemented planning application 4/01310/79, raising level of land opposite the Cock and Bottle P.H., Great Gaddesden, this is the 'wider site' referred to above. The reasoning for condition 5 on the Decision Notice 'to ensure complete restoration of the land to agricultural use.

4 PROPOSAL

- 4.1 This planning permission seeks permission for site boundary fencing (retrospective), to alter part of the fence, and alteration and completion of hardstanding.
- 4.2 This is a re-submission of the previously withdrawn planning application 4/01875/19/FUL. The 1.8m high fencing will support agricultural use for example grazing animals, and replaces the existing dilapidated chestnut paled 900mm fencing. Following earlier correspondence with our Conservation Officer, the fence will be reduced to 0.75m at the corner of Church Meadow and Pipers Hill where the fence meets the lower existing flint and brick wall. The area of hardstanding has been reduced on the current application to approximately 84 square metres.
- 4.3 Amended plans were requested to include:
- ☐ Completion of red outline showing the site.
 - ☐ Extending the red outline to include the access to the highway.

5. PLANNING HISTORY

Planning Applications

4/01723/91FUL Change of use to form car park and formation of vehicular access REFUSED
06/02/92

4/01875/19FUL Site fencing (retrospective) and completion of hardstanding WITHDRAWN
03/09/19

6. CONSTRAINTS

CIL2

Source Protection zone

SSSi Impact Risk Zones

Chilterns AONB

Area of Archaeological Importance

Rural Area

Conservation area

Former land use

7. REPRESENTATIONS

Consultation responses

7.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

8. PLANNING POLICIES

Main Documents:

National Planning Policy Framework (February 2019)
Dacorum Borough Core Strategy 2006-2031 (adopted September 2013)
Dacorum Borough Local Plan 1999-2011 (adopted April 2004)

Relevant Policies:

Core Strategy

NP1 - Supporting Development
CS7 – Rural Area
CS8 – Sustainable Transport
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS24– The Chilterns Area of Outstanding Natural Beauty
CS27 – Quality of the Historic Environment

Supplementary Planning Guidance/Documents:

Great Gaddesden Conservation Area Character Appraisal and Management Proposals.

9 CONSIDERATIONS

Principle of Development

9.1 The application site is located within the Rural Area, wherein, in accordance with Policy CS7 of the Core Strategy (2013), small scale development will be permitted including for agriculture, provided:

- It has no significant impact on the character and appearance of the countryside; and
- It supports the rural economy and maintenance of the wider countryside.

9.2 Whilst fences are not specifically mentioned in Policy CS7 the proposal can be considered small scale and includes a replacement fence to support agricultural use.

9.3 The principle of development is therefore acceptable subject to compliance with the relevant national and local policies.

9.4 The key considerations in this application are the developments:

- a. Rural Area Impact Assessment
- b. Impact on the Chilterns Area of Outstanding Natural Beauty
- c. Effect on the character and appearance of the Conservation Area
- d. Effect on the character and appearance of the immediate area;
- e. Effect on the residential amenity of neighbouring properties; and
- f. Impact on Highway Safety and Parking

Policy CS7 : Rural Area Impact Assessment

- 9.5 The application site is located within the Rural Area, wherein in accordance with Policy CS7 of the Core Strategy (2013), small scale development will be permitted including for agriculture, provided i. It has no significant impact on the character and appearance of the countryside; and ii. It supports the rural economy and maintenance of the wider countryside.
- 9.6 The green mesh fencing is not considered excessively high and the choice of materials for both hardstanding, subject to condition, and fence ensure they blend into their countryside surroundings, as seen against the backdrop of hedgerow, trees and other vegetation within the wider site of Bishops Tip.
- 9.7 Overall, this small-scale development comprising a replacement fence and area of hardstanding to support agricultural use would not be considered to have a significant impact and therefore not conflict with the purpose of the Rural Area in maintaining a generally open and rural characteristic.
- 9.8 Further, the scheme would support the rural economy and maintenance of the wider countryside. Carrying out the development itself would be expected to result in some degree of local economic benefits as would the purchase of resources such as additional feed to support any resultant future agricultural use such as grazing animals.
- 9.9 The proposal is considered to accord with CS7.

Impact on the Chilterns Area of Outstanding Natural Beauty

- 9.10 The application site is located within the Chilterns Area of Outstanding Natural Beauty (AONB). In the AONB the prime planning consideration will be the conservation of the beauty of the area. Wherever development is permitted it will be on the basis of its satisfactory assimilation into the landscape. Saved Policy 97 of the Dacorum Local Plan states that 'Building, plant and structures must be sympathetically sited and designed, having regard to natural contours, landscape, planting and other buildings; there should be no adverse effect on skyline views.' Policy CS24 of the Dacorum Core Strategies states that the special qualities of the Chilterns Area of Outstanding Natural Beauty will be conserved. In addition, development is required to have regard to the policies and actions set out in Chilterns

Conservation Board's Management Plan and support the principles set out within the Chilterns Building Design Guide and associated technical notes.

- 9.11 The extent of the site comprises a narrow strip of boundary land, and with the exception of the existing playing field opposite Great Gaddesden School, the fencing has been erected, adjacent to Church Meadow from the northwest in a south easterly direction and includes the corner with Pipers Hill. Towards the south-eastern corner of the site, there is an existing gated access, and application site denoted by the red outline includes a partially completed relatively small area of hardstanding, approximately 84 square metres, behind the gates.
- 9.12 Drawing 2476.01 rev D, shows that the boundary fence has been constructed at a height of 1.8m, and will be reduced to 0.75m at the corner of Church Meadow and Pipers Hill.
- 9.13 The fence materials used are green colour coated metal, with open mesh on green posts.
- 9.14 Dense hedgerow is present between this boundary fencing and the wider site of Bishop's Tip along Church Meadow and section of Pipers Hill. The planning officer noted during her site visit that the only clear view into the wider site was at the entrance gates and that other than the partially completed area of hardstanding the site appeared to be covered in vegetation.
- 9.15 It is worth noting that there are examples of industrial type metal fencing in the immediate area in this part of the AONB, which the planning officer considered more visible in nature, notably the school security fencing opposite the site, and boundary at the nearby garden centre.
- 9.16 The application also seeks permission to complete the area of hardstanding behind the existing gated access off Church Meadow towards the south east of the site as seen on drawing 2476.01 Rev D. As stated by the agent in the supporting Design and Access, and Conservation Area statement '**following concerns raised from the previous application, the proposed area of hardstanding has been reduced and altered to create a more 'informal' layout to suit the rural setting**'.
- 9.17 Work ceased on the area of hardstanding after the sub-base had been put down, however the statement explains that this application seeks to complete this work with a timber edging and gravel/hogging base (on crushed conc/MoT Type 2 sub-based) appropriate to the rural setting.
- 9.18 The hardstanding will provide provision for parking one vehicle/trailer and create a turning facility within the site. It would also enable the occasional use for horseboxes and vehicles attending to the animals grazing.
- 9.19 The small area of hard standing within the site is not considered unreasonable to support agricultural grazing land, especially as in this instance when the wider site is adjacent to a highway within the village and opposite the school, busy with traffic during drop off / pick up times.

- 9.20 Further, there is a wide variety of fencing for agricultural / grazing land available, and it is noted that this choice may not be typical, however the applicant is satisfied that the fencing is suitable to support grazing animals on this agricultural site. The original replaced fence was in poor condition, however the replacement will keep grazing animals within the site safely contained in this village location, which is also close to busy roads including B440 Dagnall Road.
- 9.21 The importance of the hardstanding and fencing protecting the visual beauty of the AONB is acknowledged, and whilst higher than the previous fence, overall the green colour coated metal fencing, with open mesh on green posts is considered to blend into the surroundings, as seen against the backdrop of trees and hedgerow behind this boundary fence within the wider site. The area of hardstanding cannot be viewed from clear vantage points along Church Meadow until right at the site entrance and therefore has limited impact on the character and appearance of the locality.
- 9.22 Subject to the inclusion of conditions on the decision notice if granted in respect of the hardstanding materials and fence height reduction, the proposed materials are considered acceptable and overall the development is considered to accord with saved Policy 97 of the Dacorum Local Plan and Policy CS24 of the Dacorum Core Strategy.

Impact on the character of the Conservation Area and the Street Scene

- 9.23 Saved Policy 120 of the Dacorum Local Plan (2004) states that new developments, alterations or extensions to existing buildings in the conservation areas will be permitted provided they are carried out in a manner which preserves or enhances the established character or appearance of the area. This is echoed by Policy CS27 of the Dacorum Core Strategy (2013), which seeks to ensure development will positively conserve and enhance the appearance and character of conservation areas.

The Conservation and Design Officer has made the following comments:

- 9.24 *'The green mesh fence replaced the previous timber fencing. The colour helps it to blend into the surrounding hedging and therefore reduces the fencing impact. The planting growing up the fence also helps reduce its impact. We welcome the reduction of fencing to the low wall and this is an improvement as it is the most sensitive part of the site at the junction. As such the harm has been reduced. However due to its height and prominence within the conservation area (being next to the road) it would have an impact upon the conservation area character and ideally more of the fencing should be lowered'*
- 9.25 *'The proposals would have the additional impact of the track and turning area. This has been reduced in scale and reformed in place when compared to the previous proposals. This would appear more appropriate within its landscape setting. As such we would not object to this element of the scheme'.*

'We therefore believe that there is a very low level of harm to the designated asset. In particular when considering the surrounding fencing within this part of the

conservation area. The benefits of the scheme need to be balanced against this as per the guidance set out in the Framework’.

‘Recommendation Ideally the height of the proposed fencing should be reduced throughout. However the most sensitive part of the site has now been protected by the revised proposals. As such we would no longer object to these proposals’.

- 9.26 Having visited the site and reviewed the Conservation Officer’s comments above, the planning officer agrees with their analysis. Improvements have been made to the proposal since the previously withdrawn application. Firstly, as seen on Drawing 2476-01 Rev D, the altered layout of the hardstanding has created a relatively small area more appropriate to this rural setting, which would not be viewed from clear public vantage points along Church Meadow until the existing gated access thereby minimalizing any impact on the character and appearance of the locality.
- 9.27 Secondly the fence will be reduced in height to 0.75m at the junction of Church Meadow and Pipers Hill, where the fence then ends and an existing flint and brick wall continues along Pipers Hill to wards to north east. Whilst ideally a lower fence would have been preferable, the 1.8m height is not considered to be refusable. The colour and materials chosen i.e. green mesh enable the fence to blend well into the surroundings thereby maintaining Great Gaddesden’s rural, sylvan aspect. The fence stands against a backdrop of hedgerow and trees immediately behind helping reduce any impact on the street scene within the Conservation Area and for these reasons is not considered harmful.
- 9.28 Finally, whilst the wider site has become overgrown, the scheme will help tidy up and revive this agricultural site within the Conservation Area. Grazing pasture is not uncommon within the valley floor, and the fence will keep grazing animals safe and help prevent possible littering within the wider site in this village location. The small area of hardstanding would enable access for a vehicle for the care of grazing animals and maintenance of the wider site.
- 9.29 S. 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a general duty on local planning authorities with respect to any buildings or other land in a conservation area. In particular, there is a requirement for special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.
- 9.30 Having given great weight to the proposals as described above and the impact these would have on the character and appearance of the Great Gaddesden Conservation Area, subject to conditions overall it is considered that it would preserve the character of the Conservation Area. The proposal therefore accords with Saved Policy 120 of the Dacorum Local Plan, Policies CS11, CS12 and CS27 of the Dacorum Core Strategy (2013), the NPPF (2019) and S.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Effect on Residential Amenity

- 9.31 The NPPF outlines the importance of planning in securing good standards of amenity for existing and future occupiers of land and buildings. Saved Appendix 3 of the Local Plan (2004) and Policy CS12 of the Core Strategy (2013), seek to ensure that new development does not result in detrimental impact upon neighbouring properties and their amenity space. Thus, the proposed development should be designed to reduce any impact on neighbouring properties by way of visual intrusion, loss of light, privacy and disturbance.
- 9.32 Given the scale, positioning and nature of the development, it is considered that the proposal would result in no significant adverse impact on the residential amenity of the neighbouring properties when considering visual intrusion, loss of daylight, sunlight, loss of privacy or disturbance. It is therefore considered that the proposal accords with Policy CS12.

Impact on Highway Safety and Parking

- 9.33 Policy CS12 (2013) of the Core Strategy seeks to ensure that on each site development should provide a safe and satisfactory means of access for all users. Paragraph 109 of the NPPF (2019) states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety.
- 9.34 The 1.8m boundary fence has been constructed and runs alongside Church Meadow, and will be reduced in height to .75m at the corner with Pipers Hill. The application also includes provision for hardstanding to provide parking for one vehicle with turning facility behind the existing gated access and cross over onto Church Meadow as described above.
- 9.35 Accordingly, Hertfordshire Highways were consulted as a statutory consultee in relation to the merits of the application.
- 9.36 Please see Hertfordshire Highway's comments in full at the bottom on the officer report, which recommends refusal for the reason that the application site constitutes encroachment onto Highways Land between 220mm – 120mm over a 25m stretch and encloses statutory plant and equipment, which therefore blocks access for utility maintenance.
- 9.37 However, notwithstanding any potential enforcement in relation to encroachment onto HCC land, which would fall outside of the planning process, the planning officer contacted the highways officer for further comment in relation to Highway Safety aspect. We received the following response on the 23rd September 2020: *'As Highway Authority HCC has the responsibility to protect all users of the highway. The fence has not been moved and is currently preventing access to various utilities covers. Further, the applicant has produced no evidence to support a loss of highway land and HCC would not support any request for the stopping up of this land.'*

- 9.38 Whilst the Highways Officer response reiterated the issue in respect of blocking the utilities maintenance, this is a matter for the parties to resolve. See paragraphs 9.41–9.42. No other comments were received or raised hence on that basis we conclude no issues in respect of Highway Safety including concerns with regard to visibility.
- 9.39 To conclude, whilst it is understood that vehicles have been able to enter the site previously when necessary, using the existing access onto Church Meadow, a new hardstanding parking and a turning facility for one vehicle and trailer is being created within the site in preparation for the site's use as grazing. The hardstanding will facilitate avoiding potential conflict between those requiring access to this agricultural site, and other road users including local school traffic. Further, the fence whilst standing at a height of 1.8m adjacent to the Church Meadow, will be reduced to 0.7m at the corner with Pipers Hill. Overall, it is considered that the proposal would not result in an unacceptable impact on highway safety.

Other Considerations

Access to utilities / encroachment

- 9.40 Part of the land within the red outline is owned by Dacorum Borough Council and Hertfordshire County Council. Accordingly, the agent has completed ownership Certificate B on the application form, which acknowledges that some of the area within the red outline is outside of the applicant's ownership, and he also confirmed the date that notice was served on the said parties.
- 9.41 Further, it is also apparent following the planning officer's site visits and information received that there is some utility company equipment, understood to include BT equipment and pole, within the boundary fence on site. The agent did advise the planning officer that it was his understanding that the fence was erected in the same position as the original removed chestnut paling fence, however, during her site visit the planning officer noted at least some of the original fencing was still visible behind the newly constructed fence, and that some utility equipment is not accessible from the highway.
- 9.42 Following discussion between the planning officer and the agent in respect of the blocked accessed, the agent suggested that it would be possible to cut the base of the fence to give access to any fittings that are fouled by the fence. The following condition will be added to the decision notice if granted:

“Notwithstanding the details shown on drawing 2476-01 Rev D, within two months of the date of this decision notice, a scheme to facilitate access to public utility equipment within the site must be submitted to and approved in writing by the Local Planning Authority. Subject to approval, the scheme shall then be fully implemented within two months of the date of approval, and then retained thereafter in perpetuity.
Reason: To provide safe and satisfactory means of access to all users in accordance with Policy CS12 of the Dacorum Borough Core Strategy 2013”

9.43 Further, HCC Enforcement were contacted directly during September 2020 for any update on this site, and they commented that if the officer is minded to approve the application, then any permission has to state an advisory as a minimum. Their informative will be added to the decision notice if granted.

Contamination

9.44 Given the history and constraints for this site, The DBC Environmental Health Department were consulted accordingly and responded as follows:

9.45 *Having reviewed the documentation submitted with the above planning application and having considered the information held by the Environmental Health Department there is no objection to the proposed development.*

The following information has been considered in arriving at this decision:

- o The application site was in use between 1981 and 1985 as a tip/landfill, which was permitted to accept inert waste.*
- o Conditions on the permission for the land-raising activities that gave rise to the tipping that was granted in 1979 (4/1310/79) included the following:*
- o The materials tipped shall be limited to excavated soil and topsoil and no material of an injurious or poisonous nature or likely in any way to cause pollution or discolouration to surface or underground water supplies shall be deposited on site.*
- o In connection with the final restoration of the land, the following shall apply: (a) the final layer of materials deposited shall to a depth of 1m be composed of soil or soil forming material, and shall be spread evenly over the whole site. This final layer shall be kept free of materials likely to interfere with the restoration and cultivation of the site.*
- o The potential for the deposited inert materials to be associated with contaminated material, or for non-inert waste to have been disposed at the site cannot be completely ruled out.*
- o The nature of the application is such that the required groundworks (excavation or other form of disturbance of the surface of the site) will be expected to be of minimal depth (<1m).*
- o The extent of the application is such that the required groundworks will be minimal as a proportion of the area of the site as a whole.*
- o The majority, if not all of the groundworks have been completed.*
- o The application will not result in a change of land use and will not result in the introduction of a new route of exposure to any contamination that may be present beneath the surface of the site.*

9.46 *For the above reasons I do not believe that the imposition of a land contamination planning condition would be necessary, or relevant to the development to be permitted, or reasonable in all other respects.*

9.47 *However, the developer should be aware of the land use history of the site and the possibility that works that result in the disturbance of the upper layer of the site might expose materials that were deposited as waste rather than as a growth medium to*

support the landscaping scheme following closure of the tipping activities. With the above in mind the following informative is recommended:

9.48 *Informative*

In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority with all works temporarily suspended until a remediation method statement has been agreed because, the safe development and secure occupancy of the site lies with the developer.

9.49 Accordingly, the above informative will be added to the decision notice.

9.50 For background information, on the 15th November 1979 planning permission was granted and subsequently implemented, under planning reference 4/01310/79, to raise the level of land opposite the Cock and Bottle P.H. The site is now known locally as Bishop's Tip, Great Gaddesden is the wider site referenced in the officers report between Church Meadow and the River Gade, part of which this current application forms a small part of.

9.51 Importantly, Condition (3) of 4/01310/79 stated: *The materials tipped shall be limited to excavated soil and topsoil, and no material of an injurious or poisonous nature or likely in any way to cause pollution or discolouration to surface or underground water supplies shall be deposited on site. Reason: in the interests of public safety to safeguard public water supplies by preventing the tipping of materials likely to cause pollution of surface or underground water supplies. To prevent unauthorised access to the site.*

9.52 Further, Condition (5) of 4/01310/79 stated: *In connection with the final restoration of the land, the following shall apply (a) The final layer of materials deposited on site shall to a depth of 1 metre be composed of soil or soil forming material, and shall be spread evenly over the whole site. This final layer shall be kept free of materials likely to interfere with the restoration and cultivation of the site. Reason: to ensure complete restoration of the land to agricultural use.*

9.53 It is appreciated that many local residents and other interested parties, including the Chiltern Society have objected to this application siting contamination, and also harbour great concerns in respect of the past history of Bishop's Tip and any future plans the applicant may or may not have for the site. However, it is important that each case must be taken on its own merits, and in assessing this application we cannot take into consideration what may or may not happen in the future, or change past decisions.

9.54 Importantly, in respect of the current application, there is no change of use of the land proposed in this application and the site remains in agricultural use. Fundamentally, this application is seeking permission for a boundary fence (retrospective) and completion of a small area of hardstanding. The environmental health officer has responded that disturbance of the surface will be expected to be of a minimal depth (<1m), and that the majority, if not all of the ground works have already been

completed. In his professional view he does *'not believe that the imposition of a land contamination planning condition would be necessary, or relevant to the development to be permitted, or reasonable in all other respects'*.

Trees and Woodlands

9.55 The DBC Trees and Woodlands Officer advised that *in tree terms, 'no issues to report'*.

'The installation of the fence would have required the minor pruning (or none at all) of low quality trees, and minor ground disturbance to install fence posts; neither would have resulted in an objection had a TCA app been submitted'.

Ecology

9.56 The Hertfordshire Environmental Records Centre holds no other records of notable ecological interest in the area that could possibly be affected by the development. Therefore, there are no ecological constraints.

9.57 Based on the plans submitted, Natural England consider that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites.

Source protection zone

9.58 The environment agency were consulted at the validation stage, however no response was received. For clarification the planning officer contacted the EA again in September 2020 and they confirmed that they have any comments to make.

Letters of objection from local residents

9.59 The Council has received many letters of objection and concern to this proposal from local residents and interested parties.

I have summarised the objections / concerns and responded below:

Contamination Issues

9.60 It is acknowledged that many letters of objection and concern have been received from local residents and other interested parties in response to this application on the subject of contamination. Please see main body of report.

Land not fit for grazing

9.61 Many objections have been received claiming that the land/soil is not fit for/inadequate for grazing animals, however the current application is in respect of the boundary fencing and hardstanding only and not for any change of use of the

land which is agricultural and can therefore not be considered as part of the current application. Please see main body of report.

Fencing

- 9.62 See main body of report. Comments have been received in objection to the fencing including its suitability to grazing animals. There is a wide variety of fencing for agricultural / grazing land available, and whilst this choice may not be typical, the applicant is satisfied that the fencing is suitable to support grazing on this agricultural site.
- 9.63 Further comments stated that '*the reduction in height around the corner does nothing to improve the appearance nor make it acceptable*' however it is worth noting that in accordance with Schedule 2, Part 2 Minor Operations Class A of the General Permitted Development Order (GPDO) (2019) that the erection, construction, maintenance or alteration of a gate, fence, wall or other means of enclosure can be undertaken without planning permission as long as the height of the fence would not exceed 2m, or 1m, above ground level when adjacent to a highway used by vehicular traffic. Therefore, the LPA would not have any control of the materials used where the fence is less than 1m in height.

Hardstanding

- 9.64 Objections include that the hardstanding is unnecessary; an eyesore; contamination issue; is a purpose built roadway. Please see main body of report.

Local littering

- 9.65 Part of the justification for the fencing as set out in the supporting statement, is in order to prevent littering/dumping of garden waste within the site which it is claimed has been an increasing problem, including the area of the bus stop, which the planning officer acknowledges has actually not been in use for several years. Neighbours have objected to the statement's claim that local residents may have deposited garden waste over the fence and the officer notes that no evidence of littering has been submitted with this application. However, it is not unreasonable to seek to keep the site, within the village, litter free if the applicants intend to use the site for grazing.

Parking across the site entrance

- 9.66 No evidence was received to support the claim that the entrance is frequently blocked by parked cars, especially at school pick up/drop off time however an area of hardstanding is not considered unreasonable. See main body of report.

Site location plan

- 9.67 Several objections have been received relating to the site location plan being incorrect/incomplete, and whilst it is understood that the previously withdrawn application was incomplete, additional information showing the northern end of the site boundary was included with the current application. More recently at the planning officers request an amended plan rev D which included the access to the highway within the red outline as required due to the hardstanding element in this

instance, and completing the red outline elsewhere on the plan were received. Re-consultation on the amended plan was carried out accordingly.

Flood risks assessment

9.68 The site is not in flood zone 2 or 3 and therefore no flood risk assessment has been necessary.

Condition re structures

9.69 It has been suggested that a condition preventing structures, temporary or permanent to be placed on the land enclosed by the fence without planning permission be added to the decision notice if granted, however such a condition would it is considered that this would not be reasonable.

Objections received in respect of incorrect information on application form

9.70 The applicant details (2) were originally completed as c/o Bishop & Hutchins, Hatfield Town Council, c/o AD Practice Ltd. The agent was contacted and he confirmed by email that the company name as Hatfield Town Council was incorrect and asked that the form be amended accordingly.

9.71 Site Area (4) - the site area was reduced from on the current application, which would reflect the reduction in the area of hardstanding. See main body of report.

9.72 Ownership Certificates and Agricultural Land Declaration (25) – objection received that Mr Bishop is only a tenant and not land owner. Certificate B is completed when the owner of the land does not own all of the land within the red outline and to certify that notice has been given to the other landowners. In this instance, the form details names, addresses and date notice served for Herts County Council and Dacorum Borough Council. See main body of report.

9.73 Authority Employee/Member (24) – In response to objections that the agent answered no to (24) however, Mr Parry he does not work for Dacorum Borough Council.

Considering consultation responses/objections:

9.74 We received an objection for the need to re-register and re-submit objections/comments following the withdrawal of the previous application, and that those original comments should be taken into account. In response, it is not possible to consider previous comments under different applications. Full consultation with a 21 day period to respond was accordingly carried out when the current application was validated with subsequent re-consultation period.

Community Infrastructure Levy (CIL)

9.75 This scheme is not CIL liable.

10 CONCLUSION

- 10.1 This proposal for site boundary fencing (retrospective), to alter part of the fence; and the alteration and completion of hardstanding to support an agricultural use within the Rural Area is considered small scale and to be acceptable in principle, in accordance with CS7 of the Dacorum Borough Core Strategy (2013). Further, the proposal will have no significant impact on the character and appearance of the countryside and will support the rural economy and maintenance of the wider countryside.
- 10.2 There would not be a significant impact on the appearance and character of the Chilterns Area of Outstanding Natural Beauty, Great Gaddesden Conservation Area, surrounding area, residential amenity of the surrounding properties and highway safety. The proposed development therefore complies with the National Planning Policy Framework (2019) and Policies, CS7, CS12, CS24 and CS27 of the Core Strategy (2013).
- 10.2 The proposal is considered to be acceptable.

11. RECOMMENDATION

- 11.1 That planning permission be **GRANTED** subject to the following conditions:

Condition(s) and Reason(s):

1. **Within two months of the date of this decision notice, the fencing at the corner of Church Meadow and Pipers Hill will be reduced to 0.75m in height in accordance with Drawing No. 2476-01 Rev D.**

Reason: To accord with the approved plans and for the avoidance of doubt in accordance with Policies CS7, CS12 and CS27 of the Dacorum Borough Core Strategy 2013.

2. **Notwithstanding the details shown on the approved plans, the materials to be used for the completion of the hardstanding hereby approved shall comprise the follow:**

**Gravel/hogging base (on crushed conc/MoT Type 2 sub-based)
Timber edging**

Reason: to ensure a satisfactory appear to the development and to safeguard the visual character of the immediate area in accordance with CS7, CS12 and CS27.

3. **Notwithstanding the details shown on drawing 2476-01 Rev D, within two months of the date of this decision notice a scheme to facilitate access to public utility equipment within the site must be submitted to and approved in**

writing by the Local Planning Authority. Subject to approval, the scheme shall then be fully implemented within two months of the date of approval, and then retained thereafter in perpetuity.

Reason: To provide safe and satisfactory means of access to all users in accordance with Policy CS12 of the Dacorum Borough Core Strategy 2013

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

2476-01 Rev D

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

Informatives:

1. 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 (Development Management Procedure) (England) (Amendment No. 2) Order 2015.
2. Environmental and Community Protection Informative:

In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority with all works temporarily suspended until a remediation method statement has been agreed because, the safe development and secure occupancy of the site lies with the developer.
3. Hertfordshire County Council (Highways Authority) Informative:

A section of the fence has been erected upon land considered to be public highway, maintainable at public expense and statutory plant and equipment enclosed so as to be inaccessible. Regardless of any planning permission granted or any other permission granted by any other authority, the highway authority, Hertfordshire County Council, has not authorised the erection of a fence upon highway land and may serve notice for removal of the fence at any time and if not complied with may remove it in default and recharge all costs of so doing. Regardless of any maintenance or enclosure, adverse possession does not apply with regard to highway land. Highway land can only be stopped up by an Order of a Magistrate Court as Sections 116 / 117 Highways Act 1980 allow.

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Great Gaddesden Parish Council	<p>With regard to the retrospective planning permission requested for 'Land off Pipers Hill - Church Meadow' known locally as Bishops Tip. Ref 4/02109/19/FUL</p> <p>On behalf of the Great Gaddesden Parish Council and following a meeting held on 21/10/19 I would like to share our OBJECTIONS to the planning application as it stands.</p> <p>The Parish Council are aware that this application is a retrospective application for a fence and hardstanding and our objection will force the application to Dacorum Planning committee. We are also aware that the planning committee deal mainly with larger issues than fences. However, due to the reasons stated below, we ask the committee's consideration of local homeowners concerns.</p> <p>Our reason for OBJECTION are as follows, and not in any order:-</p> <ol style="list-style-type: none"> 1. The appearance of the fence. The original fence was a low wooden stock fencing. this has been replaced by a modern, taller, green wire mesh panelled fence. This replacement fence is of industrial style and not in keeping of a rural village in the Chilterens area of outstanding natural beauty (AONB) Local residents believe that this causes harm to the visual impact of the AONB. 2. Land Grab. The new fence has been moved forward by approximatley a meter towards Church Meadow kerb. It's not been established who owns the land that the new fence line is now on. But it is land not owned by the applicant. The Parish Council feel it is wrong to permit the fence being moved onto land not owned by the applicant. The land involved is unmaintained kerbside verge. The new fence line has blocked access to BT service ducts and exposed wires which are believed to be cable TV. The fence has now put a BT pole within the revised Bishops Tip area giving reduced access. 3. Strong local community feeling. This application has been discussed at Parish Council meetings and a local meeting set up

	<p>by concerned neighbours. At each meeting there has been a large audience expressing concerns on the application. The Parish council invited David Parry to give a presentation at one meeting. Mr Parry is the architect putting in the application on his clients, Mr Bishop's behalf. Although he answered fully all the communities concerns, they still objected to the application. The Parish council can not ignore such strong local sentiment and have requested that a local resident, Mr James Milne represent the local community at the committee hearing. The Parish Council may attend as observers only.</p> <p>Although not objections, the Parish Council also have concerns about;</p> <p>A. Removal of the current hardstanding to fit the new application.</p> <p>If the committee decide to pass the application, can consideration be given to conditions regarding the removal of the hardstanding without disturbance to thin layer of topsoil.</p> <p>B. Under the heading of 'Conservation and Design Issues' the application states 'no structures as such are being considered' Can the committee ask what the 'as such' means. The Parish Council asks that should the application be passed that conditions added that no structures, temp or permanent be placed on the land enclosed by the fence without planning permission.</p>
The Chiltern Society	<p>4/02109/19/FUL LAND OFF PIPERS HILL, CHURCH MEADOW, GREAT GADDESSEN SITE FENCING (RETRO) AND COMPLETION OF HARDSTANDING</p> <p>I am writing on behalf of the Chiltern Society in respect of the above application. This resubmission, following alterations/corrections to the original application, has only very minor changes and therefore The Society wishes to reiterate its serious concern about this site and the past and recent activities that have occurred.</p> <p>The residents have confirmed that the site may have been tipped with contaminated materials in the 1980s when permission was given by Herts County Council for the land level to be raised. Unless there was constant monitoring, there is no way of knowing what inert materials were deposited. This has been confirmed by the Council's Lead Scientific Officer in his report dated 17 September 2019. He states 'The potential for the deposited inert materials to be associated with</p>

contaminated material, or for non-inert waste to have been deposited at the site cannot be completely ruled out.'

Whilst he doesn't specifically object, there is a caveat that... 'due to the land use history of the site and the possibility that works result in the disturbance of the upper layer of the site might expose materials that were deposited as waste rather than as a growth medium to support the landscaping scheme following closure of the tipping activities.'

Therefore, The Society would request that the applicant provide detailed analysis and carry out any necessary decontaminating measures before any further work is carried out. This is particularly vital given the proximity to a school and its playing area, residential properties and the River Gade. In this connection the water authority should be involved in any assessment and potential decontamination measures.

The site lies within the Chilterns Area of Outstanding Natural Beauty. In the National Planning Policy Framework, February 2019, Section 15: Conserving and Enhancing the Natural Environment, para. 170 states:

intra alia 'Planning policies and decisions should contribute to and enhance the natural and local environment by:

a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
b) recognising the intrinsic character and beauty of the countryside, ...

d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;

e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability....

and f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

Further, under Ground Conditions and Pollution para. 178.... Planning policies and decisions should ensure that: a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation); b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and c) adequate site investigation information,

prepared by a competent person, is available to inform these assessments.

179. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner (which in this instance includes HCC).

180. Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

Clearly a much more detailed approach should be taken in considering this application as it is not just a matter of fencing and the formation of a parking/turning area.

Also, before any decision is made by Dacorum, the question of what Herts County Council intend to do about the unauthorized works (ie. fencing) that has been carried out on their land should be clarified. Do they condone this 'land grab'?

With respect to the fencing, the type installed is clearly inappropriate for land in the rural area, th Chilterns AONB and the Great Gaddesden Conservation Area. The comparison with the fencing provided around the school is factitious as this is needed for security of the children.

If, as the applicants claim, the land maybe used for the grazing of livestock, the height and materials are completely unnecessary, as all the livestock farmers in the area who use other less intrusive and more appropriate fencing for the area clearly demonstrate. The reduction in height around the corner does nothing to improve the appearance nor make it acceptable. Again, the claim that there has been tipping of garden waste and rubbish from the bus stop (note: this bus stop has not been used for several years) into the site is not a reason for this type of fencing.

Again, livestock farmers do not provide substantial and robust track and turning facilities into their fields in order to tend to their animals. It is totally unnecessary, especially as the applicant states that it would '... allow vehicles to fairly safely use the site for the very occasional use when required.' If it is that occasional a sign saying 'No Parking' would adequately suffice and visits could be restricted to outside the very short periods of school dropping off/collecting times.

Therefore, the Chiltern Society OBJECTS to this application and would request that retrospective planning permission be refused and

	<p>enforcement action be taken to remove the fencing and the partly constructed access track and following a contamination investigation, the land owner(s) should be required to undertake remedial action under close supervision.</p>
<p>Conservation & Design (DBC)</p>	<p>Site name /address Land at Pipers Hill Great Gaddesden</p> <p>Brief description of proposal: Fencing and hard standing.</p> <p>The site is an area of land to the north of the village of Great Gaddesden. Until relatively recently it was somewhat overgrown. It has a flint and brick boundary wall to the roadside and towards the village had a chestnut pale fence. This has now been replaced with modern mesh fencing. Some hard standing has been added.</p> <p>Historically this appears to have been part of the flood plain/ water meadow. A large pond can be seen adjacent on earlier maps and this is now a wildlife area. However in the 1970s permission was granted to raise land levels on this site using building rubble.</p> <p>The green mesh fence replaced the previous timber fencing. The colour helps it to blend into the surrounding hedging and therefore reduces the fencing impact. The planting growing up the fence also helps reduce its impact. We welcome the reduction of fencing to the low wall and this is an improvement as it is the most sensitive part of the site at the junction. As such the harm has been reduced. However due to its height and prominence within the conservation area (being next to the road) it would have an impact upon the conservation area character and ideally more of the fencing should be lowered.</p> <p>The proposals would have the additional impact of the track and turning area. This has been reduced in scale and reformed in place when compared to the previous proposals. This would appear more appropriate within its landscape setting. As such we would not object to this element of the scheme.</p> <p>We therefore believe that there is a very low level of harm to the designated asset. In particular when considering the surrounding fencing within this part of the conservation area. The benefits of the scheme need to be balanced against this as per the guidance set out in the Framework.</p> <p>Recommendation Ideally the height of the proposed fencing should be reduced throughout. However the most sensitive part of the site has now been protected by the revised proposals. As such we would no longer object to these proposals.</p>

Environment Agency	No response received to consultations.
Hertfordshire Highways (HCC)	<p>1.11.2019 This retrospective application has been passed to HCC Enforcement to determine the extent of encroachment onto HCC land</p> <p>emailed received via CF 13/11/19 -</p> <p>05.11.2019 via HCWD Location Land off Pipers Hill/ Church Meadow Pipers Hills Great Gaddesden</p> <p>Application type Full application</p> <p>Proposal Fencing and hardstanding (retrospective)</p> <p>Amendment Information received following HCC Enforcement site visit</p> <p>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 recommends that permission be refused for the following reasons:</p> <p>The Highway Authority recommends refusal for the following reason:</p> <p>COMMENTS</p> <p>This retrospective application is for Fencing and hardstanding (retrospective)</p> <p>1. Encroachment onto Highways Land</p> <p>A site visit by HCC Highways Enforcement team on 4/11/19 has confirmed that the fence encroaches on highway land between 220mm - 120mm over a 25m stretch and furthermore encloses statutory plant and equipment.</p> <p>No permission has been given to do so by the highway authority and the land remains public highway unless stopped up either by a Magistrates</p>

	<p>Order or by Order of the relevant secretary of state.</p> <p>CONCLUSION</p> <p>The only way to resolve this matter without the fence being moved is for the land to be stopped up, however, there is no certainty that HCC would support this. The land clearly has statutory plant and equipment on it which now cannot be accessed.</p> <p>Signed</p>
<p>Hertfordshire Highways (HCC)</p>	<p>Amendment Information received following HCC Enforcement site visit</p> <p>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 recommends that permission be refused for the following reasons:</p> <p>The Highway Authority recommends refusal for the following reason:</p> <p>COMMENTS</p> <p>This retrospective application is for Fencing and hardstanding (retrospective)</p> <p>1. Encroachment onto Highways Land</p> <p>A site visit by HCC Highways Enforcement team on 4/11/19 has confirmed that the fence encroaches on highway land between 220mm - 120mm over a 25m stretch and furthermore encloses statutory plant and equipment.</p> <p>No permission has been given to do so by the highway authority and the land remains public highway unless stopped up either by a Magistrates Order or by Order of the relevant secretary of state.</p> <p>CONCLUSION</p> <p>The only way to resolve this matter without the fence being moved is for the land to be stopped up, however, there is no certainty that HCC would support this. The land clearly has statutory plant and equipment on it which now cannot be accessed.</p>

<p>Hertfordshire Highways (HCC)</p>	<p>This retrospective application is for Fencing and hardstanding (retrospective) This amendment changes the shape of the hardstanding, however the fence remains in the same position.</p> <p>1. Encroachment onto Highways Land A site visit by HCC Highways Enforcement team on 4/11/19 has confirmed that the fence encroaches on highway land between 220mm - 120mm over a 25m stretch and furthermore encloses statutory plant and equipment. No permission has been given to do so by the highway authority and the land remains public highway unless stopped up either by a Magistrates Order or by Order of the relevant secretary of state.</p> <p>CONCLUSION The only way to resolve this matter without the fence being moved is for the land to be stopped up, however, there is no certainty that HCC would support this. The land clearly has statutory plant and equipment on it which now cannot be accessed.</p> <p>Further email comments received 23.09.2020</p> <p>As Highway Authority HCC has the responsibility to protect all users of the highway. The fence has not been moved and is currently preventing access to various utilities covers.</p> <p>Further, the applicant has produced no evidence to support a loss of highway land and HCC would not support any request for the stopping up of this land.</p>
<p>Hertfordshire Ecology</p>	<p>The access track lies within and will result in the loss of habitat from the Great Gaddesden Churchyard Local Wildlife Site (LWS); this comprises semi-improved grassland of limited ecological value. It is identified as a LWS to safeguard the immediate landscape around a known bat roost nearby from damaging development. These are fixed boundaries, apply to many roosts across both the district and county, and can include urban areas or countryside and do not necessarily indicate that the land is of high ecological value.</p> <p>Whilst it could be argued the access drive will remove a small amount of the foraging habitat of bats, the land to be lost is small and of little value in this regard. Similarly the fence will have no impact.</p>

	<p>The Hertfordshire Environmental Records Centre holds no other records of notable ecological interest in the area that could possibly be affected by the development. Therefore, there are no ecological constraints.</p> <p>4/02109/19/FUL Site fencing and hardstanding (retrospective) Land off Pipers Hill/Church Meadow, Pipers Hill, Great Gaddesden HP1 3BU</p> <p>Thank you for your letter of 14 September 2020 which refers, and for consulting Herts Ecology.</p> <p>I note this is a re-consultation of a retrospective application. I commented on the previous application by letter of 9 April 2020 and little of consequence appears to have changed since. Therefore, my previous comments still stand and are repeated below in italics:</p> <p>The access track lies within and will result in the loss of habitat from the Great Gaddesden Churchyard Local Wildlife Site (LWS); this comprises semi-improved grassland of limited ecological value. It is identified as a LWS to safeguard the immediate landscape around a known bat roost nearby from damaging development. These are fixed boundaries, apply to many roosts across both the district and county, and can include urban areas or countryside and do not necessarily indicate that the land is of high ecological value.</p> <p>Whilst it could be argued the access drive will remove a small amount of the foraging habitat of bats, the land to be lost is small and of little value in this regard. Similarly, the fence will have no impact.</p> <p>The Hertfordshire Environmental Records Centre holds no other records of notable ecological interest in the area that could possibly be affected by the development. Therefore, there are no ecological constraints.</p> <p>I would add, for the avoidance of doubt, that existing and emerging ecological policy and law require all development to deliver a biodiversity net gain. However, given the small footprint of the development and the lack of ecological impact, no meaningful gain can be achieved that is proportionate to the insignificant loss. Therefore, this can be waived in these circumstances.</p> <p>I have no further comments.</p>
<p>Natural England</p>	<p>Response to amended plans</p> <p>The advice provided in our previous response applies equally to this resubmission although we made no objection to the original proposal.</p> <p>The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.</p>

Natural England	<p>NO OBJECTION</p> <p>Based on the plans submitted, Natural England consider that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites.</p> <p>Natural England's general advice on other natural environmental issues is set out at Annex A.</p> <p>Planning consultation: Site fencing and hardstanding (retrospective)</p> <p>Location: Land Off Pipers Hill/ Church Meadow Pipers Hill Great Gaddesden</p> <p>Thank you for your consultation on the above dated 09 March 2020 which was received by Natural England on 09 March 2020.</p> <p>Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.</p> <p>Protected Landscapes - Chilterns AONB</p> <p>The proposed development is for a site within or close to a nationally designated landscape namely Chilterns AONB. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal. The policy and statutory framework to guide your decision and the role of local advice are explained below.</p> <p>Your decision should be guided by paragraph 172 of the National Planning Policy Framework which gives the highest status of protection for the 'landscape and scenic beauty' of AONBs and National Parks. For major development proposals paragraph 172 sets out criteria to determine whether the development should exceptionally be permitted within the designated landscape.</p> <p>Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies.</p> <p>SUMMARY OF NATURAL ENGLAND'S ADVICE</p> <p>NO OBJECTION</p> <p>Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites.</p> <p>Natural England's generic advice on other natural environment issues is set out at Annex A.</p> <p>Page 2 of 5</p> <p>We also advise that you consult the relevant AONB Partnership or Conservation Board. Their knowledge of the site and its wider landscape setting, together with the aims and objectives of the AONB's statutory management plan, will be a valuable contribution to the planning decision. Where</p>
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	<p>available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to this type of development and its capacity to accommodate the proposed development.</p> <p>The statutory purpose of the AONB is to conserve and enhance the area's natural beauty. You should assess the application carefully as to whether the proposed development would have a significant impact on or harm that statutory purpose. Relevant to this is the duty on public bodies to 'have regard' for that statutory purpose in carrying out their functions (S85 of the Countryside and Rights of Way Act, 2000). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.</p> <p>Sites of Special Scientific Interest Impact Risk Zones</p> <p>The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires local planning authorities to consult Natural England on "Development in or likely to affect a Site of Special Scientific Interest" (Schedule 4, w). Our SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the data.gov.uk website</p> <p>Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.</p> <p>We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.</p> <p>For any queries regarding this letter, for new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.</p> <p>Consultations Team species</p>
Trees & Woodlands	<p>In tree terms, no issues to report.</p> <p>The installation of the fence would have required the minor pruning (or none at all) of low quality trees, and minor ground disturbance to install fence posts; neither would have resulted in an objection had a TCA app</p>

	been submitted.
Environmental And Community Protection (DBC)	<p>Having reviewed the documentation submitted with the above planning application and having considered the information held by the Environmental Health Department there is no objection to the proposed development.</p> <p>The following information has been considered in arriving at this decision:</p> <ul style="list-style-type: none"> o The application site was in use between 1981 and 1985 as a tip/landfill, which was permitted to accept inert waste. o Conditions on the permission for the land-raising activities that gave rise to the tipping that was granted in 1979 (4/1310/79) included the following: <ul style="list-style-type: none"> o The materials tipped shall be limited to excavated soil and topsoil and no material of an injurious or poisonous nature or likely in any way to cause pollution or discolouration to surface or underground water supplies shall be deposited on site. o In connection with the final restoration of the land, the following shall apply: (a) the final layer of materials deposited shall to a depth of 1m be composed of soil or soil forming material, and shall be spread evenly over the whole site. This final layer shall be kept free of materials likely to interfere with the restoration and cultivation of the site. o The potential for the deposited inert materials to be associated with contaminated material, or for non-inert waste to have been disposed at the site cannot be completely ruled out. o The nature of the application is such that the required groundworks (excavation or other form of disturbance of the surface of the site) will be expected to be of minimal depth (<1m). o The extent of the application is such that the required groundworks will be minimal as a proportion of the area of the site as a whole. o The majority, if not all of the groundworks have been completed. o The application will not result in a change of land use and will not result in the introduction of a new route of exposure to any contamination that may be present beneath the surface of the site. <p>For the above reasons I do not believe that the imposition of a land contamination planning condition would be necessary, or relevant to the development to be permitted, or reasonable in all other respects. However, the developer should be aware of the land use history of the site and the possibility that works that result in the disturbance of the upper layer of the site might expose materials that were deposited as waste rather than as a growth medium to support the landscaping scheme following closure of the tipping activities.</p> <p>With the above in mind the following informative is recommended: Informative</p>

	In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority with all works temporarily suspended until a remediation method statement has been agreed because, the safe development and secure occupancy of the site lies with the developer.
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APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
53	26	0	25	1

Neighbour Responses

Address	Comments
3 Church Cottages Church Meadow Great Gaddesden Hemel Hempstead HP1 3BU	<p>This revised application has removed a number of errors from the previous version (such as not including all the fence that was installed without planning permission, wrongly citing the disused bus stop as a place for littering etc), however there are inaccuracies with the new reasoning behind the scheme.</p> <p>The main objection to this application is that the scheme is at odds with the setting. Great Gaddesden is a rural village, with the area in question being both a conservation area and an AONB. Industrial anti climb fencing that is used for commercial industrial premises, at a height of 1.8m high is not in keeping with the area and intrinsically changes the look and feel of the heritage setting.</p> <p>The adjacent area includes water meadows and heritage flint walls and buildings and farmland is fenced off with your typical stock fencing, not 1.8m anti climb fencing.</p> <p>I note the 'supporting evidence' claims residents have been dumping vegetation there. I think that sums up the contempt for the people living here. That simply hasn't happened. This does not occur on the surrounding land either, and that has much lower fencing?</p> <p>I also note the reasoning for the hard standing is because people park over the gates. In my 5/6 years living here I have never witnessed a resident or someone from the school park over the entrance. The village is chaotic at school pick up times, but this is for ten minutes twice a day, as you would expect with having a school in a small village.</p>

	<p>I think this application sets a dangerous precedent for businesses being allowed to harm the heritage appearance of rural conservation areas.</p>
<p>13 Church Meadow Great Gaddesden Hemel Hempstead HP1 3BS</p>	<p>Objection</p> <p>Application number 4/02109/19/FUL Re-Application</p> <p>Site Fencing (Retrospective) and completion of hardstanding, Land off Pipers Hill, Church Meadow, Great Gaddesden. HP1 3BU</p> <p>I would like to voice my objections regarding the latest retrospective planning application made by Mr Bishop and Ms Hutchins regarding the Land off Church Meadows and Pipers Hill in the village of Great Gaddesden.</p> <p>This land as I understand is part of an AONB and also now an extension of the conservation area.</p> <p>In this respect what on earth has possessed the owners to install an Industrial Grade metal fence which is classed as Anti Climb Security Fencing normally used around industrial facilities along the boundary of this land. Not only is it ugly and unnecessary, but it is installed on Hertfordshire County council land, which explains why the contractor severed the BT lines on several occasions during the installation. This fence and the padlocked gated entrance also cut across Hertfordshire County Council land with a large amount now being incorporated within this fenced area are the council aware of this, and as some utilities stations are within this fenced and padlocked area access is now impossible should there be any emergency.</p> <p>The owners claim they wish to graze livestock on this land, which begs the question what size animal are they hoping to graze that would require a fence of this magnitude when a simple replacement wooden fence of the original type would be adequate for most domestic livestock.</p> <p>And as it states in the application there is a meagre amount of topsoil covering the landfill so the chances of growing any suitable graze for animals to eat is slim, together with the fact that according to many residents there is a very real probability that this land has been contaminated by the nature of materials that were incorporated in the landfill during the 1980's, which should have been according to the original permission granted in 1979 have been limited to Excavated Soil and Top Soil only, and then finished with a 1 meter depth of top soil across the site, in this respect there really should be some testing done on the site to make sure it is safe and suitable for animals to graze, and also for the residents who live along the perimeter should any further disturbance of the land occur.</p> <p>I have also noted that on the site map that has been included with the application the larger area map does not cover the whole of the area in question stopping at the School Playing Field when in fact the fence continues the length of Church Meadows, this is not shown why would this be.</p>

	<p>As for the littering problem stated in the supporting application documents how on earth with all the other associated rubbish on the site could they pin a small amount down to villagers waiting for the bus at a stop which is no longer in use and to those reading the village notice board.</p> <p>Generally speaking if people are so inclined to drop litter the size and nature of a fence will be no deterrent.</p> <p>As for the hard standing and turning circle to enable horse boxes and other vehicles to tend the grazing animals this seems a little over the top as most farmers seem to manage with small trailers and quad bike type vehicles and are quite capable of traversing rougher terrain without a purpose built roadway.</p> <p>In my opinion this fence is clearly been installed to keep people out and not animals in, which begs the question what are Mr Bishop and Ms Hutchins plans for the future use of this land going to be as I strongly suspect sheep or any other animals won't play any part in it, and before we know where we are we will have some industrial type storage facility on our doorstep which would be quite unthinkable.</p> <p>The council needs to nip this in the bud, and refuse the retrospective planning application have the fencing returned to something more in keeping with the environment in which it is sited and if Mr Bishop and Ms Hutchins really can't think of a better use for the land how about making it safe and returning it back to the Village for the use and enjoyment of the residents for years to come, now there's a thought!</p> <p>I cannot in my wildest dreams imagine what possessed the Council in the first instance to grant the license to Mr Bishop for this land to be used for landfill, hopefully it will learn by its mistakes, it most certainly would not happen today.</p>
<p>Pipers Barn Pipers Hill Great Gaddesden HP1 3BY</p>	<p>I live within 30 yards of the area of land in question and have received no notification from you</p> <p>As I understand this plot is a conservation area in an area of outstanding beauty so why are there two ugly skips</p> <p>What can possibly be the reason that a 1.8m fence is needed?</p> <p>The area cannot possibly used for grazing as there is no grass just weeds and barb wire on the other side of the land</p> <p>There is also Japanese knot weed on the plot</p> <p>What is the reason for hard standing?</p> <p>Local farmers off load their animals straight from through the gate onto the land to graze</p> <p>The whole application does not make sense and I object strongly</p>
<p>Broadwater Dagnall Road Great Gaddesden Hemel Hempstead HP1 3BW</p>	<p>The unsuitably high fence is unsightly in our AONB.</p> <p>Such a fence will not prevent litter. No fence can prevent litter.</p> <p>The hardstanding is an eyesore. It stands out badly on this well-established green area.</p> <p>The possibility of contamination in the field has been ignored in the</p>

	<p>application. Given the landfill history of the site, it does not seem possible that the field is at all appropriate for grazing, which brings into question the real plans for the land.</p> <p>The Applicants say that they are contemplating grazing on the land. This is a very vague statement. It shows a lack of intention - so what is the real intention?</p> <p>The Applicant's company name was given as Hatfield Town Council. This name has since been removed. Such a huge 'error' in the Applicant's name must ring alarm bells.</p> <p>The Applicant cites a lack of maintenance by the land owner - this is not a reason to justify the ugly changes, or indeed any changes. This reason is irrelevant.</p> <p>The look of the changes already implemented and proposed are totally out of keeping with the village. They jar with the village's established image and ambiance which detrimentally affects the current and future villagers.</p>
<p>8 Church Meadow Great Gaddesden Hemel Hempstead HP1 3BS</p>	<p>Objection ! Why are you letting these people submit applications for the 2nd time before demanding a land test ! Our lives are at risk if you let this application go ahead !</p> <p>It's a landfill site with every material imaginable buried there ! Asbestos included and you want to allow bishops to dig up that ground not considering our health ? Land needs to be tested 1st before anymore applications submitted, not even to mention there both very inaccurate applications but no one seems to care about that !!!!</p> <p>A very concerned villager</p>
<p>1 Church Farm Cottages</p> <p>Pipers Hill Great Gaddesden Hemel Hempstead HP1 3BY</p>	<p>I object to the planning application.</p> <p>I object because the fence that has been erected is completely out of character with the surroundings and is a huge over reaction if the land owner is concerned about litter (what about a litter bin?).</p> <p>The fence is of an unnecessary height. The only other fences in and around the village of a similar height are where they are truly required e.g. water sewage works, to stop people drowning; the school, to keep the kids in and unwanted's out. To erect a fence nearly 2 metres in height to keep litter out is a bizarre decision.</p> <p>The fencing material is also a terrible choice if the land owner was genuinely committed to maintaining our conservation area and our AONB. A green mesh, metal fence, nearly 2 metres in height in an AONB?! Come on, be serious.</p> <p>I also object to having to register my objection for the second time for the same matter. The applicant withdrew the first planning application, rendering all of the previous comments (a clean-sweep of objections) redundant. The applicant is obviously banking on some objection fatigue. I'd therefore request that all of the objections to the related case are considered where they remain applicable to this new application.</p>

	Please consider my objections, thank you.
3 Jubilee Cottages Tring Road Dunstable LU6 2JU	The land in question is in a conservation area, an area of outstanding natural beauty. It adjacent to primary school and grade 2 listed cottages as well as many other homes along Church Meadow Cottages. To put up industrial anti climb fencing in such an area is totally out of character with surrounding. No other farmer does this to keep animals ? What is Bishops other intentions????? No other farmer in the area has hard standing in their fields to move animals around? Once again what is Bishops future intentions? There are many other fields gates down pipers Hill. None have these have hard standing. People do not park over them? Bishops have also grabbed land and put their fence in front of BT poles and power cables. I believe their intention is to use the site for storage of skips etc. The land is not fit for grazing with the rubbish that was put therein the 80,s. (no grass visible) All boundaries in the area are beautiful flint walls or wooden farm fencing . There is no need for anything else. If you grant them permission you will be allowing Bishops to carry out their business there.
6 Church Cottages Church Meadow Great Gaddesden Hemel Hempstead HP1 3BU	The type of fencing is incompatible with an Area of Outstanding Natural Beauty and it has been erected to encroach on the Council's verges, preventing the utility companies accessing their equipment thus threatening the supply of these services to local residents. Dacorum's response to the question of possible contamination of the site does not inspire confidence in their competence.
5A Church Meadow Great Gaddesden Hemel Hempstead HP1 3BS	This Re Working of the original plans still does not address the problems raised in the first application. Firstly the industrial style fencing is not in keeping with a rural location. Secondly The Fencing has been placed directly on top of BT Cables as can be evidenced at the bus stop. Thirdly The Fence is not in the correct position - It is situated on land not belonging to Bishops. Fourthly the plans only show the area to the South of the site. The Fence has been erected all along Church Meadow. In regards the hard standing I witnessed what was dumped on the site during the 1980s when regulations were a lot less strict. It looked like demolition rubble from a factory was dumped. As a villager we were deceived on the plans for the site in the 1980s - I hope we are not repeating the experience.
11 George Street Hemel Hempstead HP2 5HJ	I wish to object to the fencing off of conservation area, in an area of natural beauty, a fence more in keeping with industrial use. This is an eyesore in a beautiful village , Judith herring

<p>3 Church Cottages Church Meadow Great Gaddesden Hemel Hempstead HP1 3BU</p>	<p>I wish to object to the above application on the following grounds.</p> <ol style="list-style-type: none"> 1. The fence outline on the plan is not correct (the plan shows the fence stopping by the school playing field yet it physically continues to the end of the parcel of land adjoining the next field) 2. The fence is not in keeping with the rural character of farmland and being 1,8 mt high and of an industrial nature. 3. The applicant states there is no suspicion of the land being contaminated yet the land was a land fill site between 1981 and 1989 and an environmental report I commissioned by the company Groundsure Environmental Insight stated that the land would be identified as contaminated land as defined under the Environmental protection act of 1990. 4. The applicant has shown complete disregard for planning procedure by putting the fence up and starting to build a road both illegal acts. 5, The entrance to the site is directly opposite a junior mixed infants school and constitutes a potential risk to the safety of the children. 6. The fence extends onto land owned by Herts county council which has made access to power and telecoms junctions impossible. <p>The applicant has shown no regard for the local community , environment, or legal procedure and should be prevented from any further abuse of the above and the council and it,s officers would be shirking from their responsibilities by allowing this application to be granted.</p>
<p>4 Church Cottages Church Meadow Great Gaddesden Hemel Hempstead HP1 3BU</p>	<p>I object to this application. So now we have the third attempt by David Parry on behalf of Mr Bishop to seek permission to develop the toxic waste site in our village.</p> <p>It's basically the same document with a few alterations as a result of embarrassment when the applicant was publicly held to account for the previous two fraudulent applications; a result of "administrative errors" according to Dacorum. Yeah, right!</p> <p>The unauthorised use of Hatfield Town Council's company name has been shut down after Hatfield instructed solicitors to take action, at least we now have Mr Bishop and Miss Hutchins applying openly, though still hiding behind Mr Parry's lamentably inaccurate and somewhat illiterate document. But the actual ownership of this land is still unclear: Mr Bishop always proudly tells us, on his visits to the village to put the frighteners on us, that his father left it to him after the toxic waste dumping project, but section 25 ownership certificates in the application are filed as Herts County Council and Dacorum Borough Council; so it appears Mr Bishop is merely a tenant, and perhaps the two councils could have more influence than they like us to believe? If they own the land they could have more of a say in its use.</p> <p>Mr Parry hasn't done any additional research to justify his hefty fee, he still emphasises the terrible "littering problem" from people waiting for</p>

	<p>the bus! He still seems to believe that high, anti-climb industrial fencing is the norm in a rural conservation area. Perhaps he should climb out of his car sometime and take a country walk to have a look around? But of course he's very busy with his role on St Alban's council. It would be nice to know a little more about the motivation of this rather shadowy figure; why is he so keen to submit documents full of misleading half-truths in support of Mr Bishop, what is in it for him apart from his enormous fee? He's clearly ignorant of and uninterested in conservation matters.</p> <p>This time we have sight of an internal memo (ref.R600922) from Dacorum's Lead Scientific Officer, Mr Carr, to our friendly, independent planning officer Shane O'Donnell. It reassuringly tells us that even though he can't find any documentation or monitoring reports about Mr Bishop senior's landfill operation of the early 1980s, he has judged the site to be perfectly safe for development because he had a quick look over the fence. Access was restricted because Mr Bishop helpfully dumped a conservation-grade rubbish skip in the entrance to enhance the rural vista, so Mr Carr's extensive scientific soil test amounted to nothing more than a casual glance. I'm not sure that residents living opposite the land and parents at the school will take quite such a casual approach towards their health as Mr Carr apparently does. The extensive oral testimony of village elders who witnessed the asbestos tipping is arrogantly rejected; well you know what old people are like, losing their marbles!</p> <p>So in spite of the village fighting as one to oppose this development, requesting action by the borough solicitor to investigate possible corruption in relation to this application, and the well-known toxic waste present in the land, Dacorum seem immune to public fear and opinion and I'm sure will continue to ignore us all and press ahead to give Mr Bishop what he wants; I wonder what precisely that will be in the future, because this is clearly just the thin end of the wedge. As the Gazette newspaper speculated, traveller site or skip business?</p>
<p>Pipers Barn Pipers Hill Great Gaddesden HP1 3BY</p>	<p>Planning Application 4/02109/19/FUL</p> <p>There are several reasons behind this objection to Retrospective Planning Re-Application for the land off Church Meadows in Great Gaddesden, Hemel Hempstead, Hertfordshire. (Planning Portal Reference PP-08122241). Much of my previous objections to Application 4/01875/19/FUL still apply and are repeated here.</p> <p>Application for Planning Permission</p> <p>One can only presume that the re-application itself still stated that at 2. Applicant Details/Company Name is "Hatfield Town Council", which was the same as the original application. This entry has been redacted - by Dacorum Borough Council? Why was not the re-application summarily rejected by Dacorum when received as to be appear erroneously a second time suggests a deliberate misrepresentation by the applicants yet again. The inclusion of Hatfield Town Council in a modified application indicates a lack of care and consideration for the whole planning application process on behalf of the Applicants and their Advisors.</p> <p>At 4, Site Area, the measurement of the area has increased on the re-application to 1,550 sq. metres from the previous 1,490 sq. metres -</p>

is this the result of the site being remeasured in the interval between first and second application? Which is the correct measurement?

At 6. Existing Use, the Applicant claims that the site is currently vacant, which is not disputed, but that the last use of the site was "reclaimed floodplain". This is somewhat at odds with the description in the Great Gaddesden Conservation Area Character Appraisal & Management Proposals Report (Dacorum Borough Council, 2010, p.35), which states:

"The site was used as a tip for building demolition materials until the early ninety seventies, since which time it has been unattended, and become an area of natural woodland."

Whilst accepting that this planning application is for retrospective permission for the fencing and to complete the hardstanding area, the Planning Committee's notice must be drawn to the fact that any future application for change of use or further development must require an appropriate contamination assessment.

At 7, Materials, the re-application now states that portions of the fence will be reduced to a height of 750mm. Retrospective permission is being sought for replacing a 900mm chestnut paling fence with a green mesh fence. Again, I reiterate that the landowners have not maintained the paling fence, and thus its ability to contain livestock has been severely compromised. In the Applicant's supporting information, they are said to be "...contemplating use of the land for grazing...". Some basic research on the Internet has shown that the fence currently erected is suitable for schools, commercial outlets and more suitable for ball court fencing.

Further research suggests that the height of fencing required for sheep would be 4 feet high (c. 1200 mm); for cattle a barbed wire fence of similar height; for horses between 54 and 60 inches, using wire/mesh, electric fence or post and rail construction. Even in the worst case scenario, the current 1800mm high mesh fence is some 20% above the height required for horse grazing, and 50% above that for sheep.

If the area is to be used for grazing, and a fence of 750 mm height is considered adequate by the Applicants to restrain and contain any livestock that are grazing on the land, why then cannot the height of the whole fence be reduced to 750 mm?

At 9, Vehicle Parking, the Applicant proposes parking for 1 space, defined as Livestock trailers etc. There is an anomaly between one parking space (singular) and the description of plural vehicles. Further, the application refers to "parking" not access and temporary loading and unloading of livestock to and from trailers. Other farmers in the vicinity move livestock into and out from their fields without the need to create a hardstanding area or to apply for planning permission to park vehicles.

At 11, the Applicant has stated that this is an area at risk of flooding. Therefore, has the required Flood Risk Assessment been completed and filed. Will members of the public be able to access this Assessment?

At 14, Waste Storage and Collection, the Applicant answers "no" to both questions about storage of waste, although at the date of writing (23rd September 2019), there is a skip full of ground waste and soil inside the gates of the property. This is both a contradiction to the re-application and in contravention of law relating to use of the land.

At 24, there is a declaration that the applicant and/or agent is not an Authority Member to ensure the application process is open and transparent. The Applicants - Bishop and Hutchins - are shown to be care of AD Practice Limited. In turn, this organisation's website says it is a "...small, well-established multidisciplinary architectural design practice...", and that its founder David Parry is:

"...a Parish Councillor for Park Street... [and] previously a St Albans District Councillor and Chair of the Planning Committee... [as well as] a member of their Agents Forum Advisory Panel".

Any fair-minded and informed observer, having considered these facts, would conclude that the "no" answer given in the application to this Section is duplicitous and not in any spirit of openness and transparency.

At 25, Ownership, can it please be explained that if the Applicants are the owners, how is it possible for them also be their own tenants? Or is this Section completed to establish a de facto tenancy by the Applicant over boundary land owned by Herts County Council. It should be note that Dacorum Borough Council have been added in the re-application. If the fence had been erected on the Applicants own land there would be no other owners or agricultural tenants.

It could be argued that the Applicants are suggested that the line of fencing currently erected is enclosing land not owned by them, and that the fencing line delineates a "land grab" from Herts CC and Dacorum. By showing these entities as "owners/agricultural tenants", this is a dubious device to claim ownership of all land inside the current fence line. This Planning Application for retrospective permission for the fence should not be surreptitiously effecting a transfer of land ownership.

Supporting Design and Access and Conservation Area Statement

The following objections are also raised through commentary on the statements and arguments used in support of the planning application.

In Background, it is stated that "...There is no evidence of recent maintenance of this land..." This statement implies that Herts County Council and Dacorum Borough Council have not maintained their land and that the Applicants - by inference - have maintained theirs, and thus an amalgamation of land will result in improved stewardship and maintenance. In fact, there has been little to no stewardship or maintenance carried out by the Applicants on a regular, housekeeping-type basis.

In Recent Activities and Planning History, it is claimed that there has been an increasing problem with garden waste being deposited. There is no evidence submitted to quantify the rate of increase or any photographic records shown to prove this assertion. It is contended that

had better stewardship of the land been maintained by the Applicants, then it would have looked a lot less like a wasteland and engendered a greater duty of care by local residents. With regular, two-weekly, garden refuse collections undertaken by Dacorum Borough Council and small garden plots in the village, it is hard to contemplate any requirement from local residents for the disposal of excess garden waste.

Vehicular traffic to and from the school at start and end of the school day during term time does pose challenges for local residents. There is a statement that the gates are "frequently blocked", once again without any attempt to quantify or provide robust evidence to support this claim. Any "blocking" of the gates would, by definition, be extremely brief as children were delivered and collected by parents safely. Residents in Church Cottages do not block the gates by parking; in any case the narrowness of the road at this point between the gates and the parking adjacent to the old phone box would prevent parking in front of the gates. The use of emotive terms is regrettable and inappropriate. There are greater problems for residents through inappropriate parking during school drop-off and pick-up times, and I cannot recall there ever being a problem with parking blocking the gates.

Other farmers appear to have no problem with transferring livestock without hardstanding and turning areas. There is no justification for hardstanding on the grounds of avoiding conflict with cars parking temporarily for School access.

In the section under Client's Instructions, there can be no justification whatsoever on the erection of any fence or boundary on land outside the ownership of the Applicants. If this principle was not upheld, then any "land grab" of other peoples' property could proceed unabated and regularised by retrospective planning application. Whether adequate maintenance or interest by Herts County Council takes place, this is not germane to this planning application. Indeed, in its present position, the fence has been erected outside of, and thus encloses, public facilities such as fire hydrants, telephone poles and utility access points. The Council must insist that the current fence is removed, and any approved fence re-erected wholly and entirely on the Applicants' own land.

It should be recorded as a matter of fact that the bus service, which I believed only called at Church Meadows once in the morning and once again in the evening, has not operated for some years. The choice of fence would not prevent a determined bus user from throwing waste over its height, nor forcing waste through its open mesh construction. In addition, the claim that the provision of parking and turning facilities removes the conflict with the bus stop is redundant. There is no conflict, as the bus service no longer operates!

Within Planning Issues, Fence, the re-application has added a paragraph that states that after consultation with the Authorities, the fence is to be reduced in height on the "...most prominent corner...". Once again, I reiterate that if it can be reduced in height at this point, and still be capable of restraining and confining any livestock to grazed on the land, ALL the fence can be reduced in height as well.

With regard to Planning Issues, Turning Facility, it is surely in the owners' own gift to instruct any vehicle drivers entering the site to restrict movements within the site to those specific areas covered by the exposed surface - it does not need a hardstanding area or turning circle to ensure this.

The Applicants acknowledge there is an existing "...rural setting within the Conservation Area", and that the proposed modifications they intend to "...create a more 'informal' layout to suit the rural setting". A more rural setting would involve no hardstanding or turning area. No amount of timber edging will convert hardstanding inside an enclosed piece of land into a more rural setting, commensurate with the enclosed fields and paddocks in the Great Gaddesden Conservation area.

If the Applicants' envisage the "...occasional use for horse boxes and vehicles attending to the animals grazing ..." this will be no more inconvenient, and "occasional" suggests a lot less than the morning and evening school "runs" which occur every day during term times.

Within Conservation and Design Issues it is stated that the works are "sympathetic" to the Conservation Area. Within Dacorum's Great Gaddesden Conservation Area Character Appraisal and Management Proposals report (2010), under an assessment of Negative Features and Issues, it refers to traditional materials and details being eroded by the use of inappropriate materials. The replacement of a traditional paling fence with a 21st Century wire mesh fence of 1800mm height, more suitable for a ball court, surely counts as a further instance of this historical fabric erosion. In the same paragraph, the Report states that "...curtilages are being eaten into by inappropriate hard landscaping".

Finally, the Conservation Area Report, within its remit of its purpose to ensure that the special character of the Great Gaddesden area is not adversely affected by development also states:

"A defining feature of the Great Gaddesden Conservation Area is the subtle and restrained use of traditional materials for boundary treatments... The Council will resist proposals to remove traditional boundary walls or which fail to respect the form and materials of traditional boundary treatments"

The work covered by this planning application has already been carried out without planning permission, and the works are harmful to the character of the Conservation Area, as has been argued and shown above through the replacement of traditional fencing materials with an inappropriate modern design, completely out of keeping with the natural feel of Great Gaddesden village, and of a totally inappropriate height and construction, and being erected outside of the legal ownership of the Applicant's land.

Retrospective planning permission should be rejected, and the owners forced to make remedial action to erect any boundary fence made of traditional construction materials, on their own land, and of an appropriate height. Further works to the hardstanding already laid down should not be permitted.

<p>Gaddesden Place Bridens Camp Hemel Hempstead HP2 6EX</p>	<p>The application claims the fence is for grazing. That is clearly not the case. What was installed without planning permission (hence this retrospective application) is wholly inappropriate for the location in the village, and inappropriate for grazing (and there are no animals grazing on this land).</p> <p>If this fence was really for grazing purposes, as claimed, what should be installed is traditional low 4 wire fence and post, as exists everywhere in the area for grazing animals, and as would be in keeping with this area of outstanding natural beauty. https://www.chilternsaonb.org/uploads/files/Walks_and_Rides/Gade_Valley.pdf</p>
<p>48 Paston Road Hemel Hempstead HP2 5AZ</p>	<p>I am regular visitor to Great Gaddesden village drawn to its outstanding beauty and peaceful surroundings. Recently I was made aware of retrospective application in the area , It's unusual to me to comment on someone else issues but as it is environmental this time I will.</p> <p>Historical evidence show us potential abuse of the agreement during so called " land-raising activities " in terms what may may not be deposited there and 1m surface layer of top soil or soil forming material. That's all witnessed by residents.</p> <p>We have new high fence(not in keeping) there obstructing acces to service's build partially over local authorities grounds.It really stands out and you can see old wooden fence behind</p> <p>This is now being done retrospectively how is that even possible .</p> <p>The way application was filled in is really suspicious can proffesional really afford such errors? And what is the real long time purpose of above.</p> <p>It looks like past and present are merging and lack of control from 80's has its continuity up to today. It is listed as medium risk can we afford to disturb surface? permitting greater forces via infiltration wash potential hazardous material into watercourse right next to it ? Contamination assessment from distance, no core drilling ,sampling to find out what is really there.</p> <p>I wish every one wealth and prosperity but we are all living on a credit taken from this planet . It is my biggest wish that next generations can take ingredients to build their bodies and minds from the best and purest ingredients that uncontaminated planet provides.</p> <p>With all that in mind I believe that Dacorum Council will take right steps and measures to resolve the issue .</p> <p>Regards.</p>
<p>9 Church Meadow</p>	<p>I wish to object to the proposed planning application within Church</p>

<p>Great Gaddesden Hemel Hempstead HP1 3BS</p>	<p>Meadow/Pipers Hill. My objection is based around a numbers of concerns, some eloquently expressed already by others. The first objection is in relation to the possible disturbance of contaminated land. During our house purchase in 2018 this land was highlighted as an unused land fill site, with unknown make up. With a primary school less than 50m away, and with children ourselves I would expect the council to have a duty of care around this area, and before moving ahead undertake a FULL environmental survey to establish the exact make up of the site. Our surveys also highlighted the area as a medium risk for ground water flooding. I am concerned an works may increase this risk long term, which again the council must surely have a duty and responsibility for. The fencing which has already been constructed is completely out of character with what is a conservation area, and appears to be somewhat at odds in terms of size and scope to the proposed application. I would also question if the fencing is in the correct position as it appears to cover cables and other sundry utility services. And I can also attest to having witnessed OpenReach repairing underground cables for 2 days following the erecting of the currently installed wire fence. Having lived in the village of Great Gaddesden for only a short while, I would also encourage the council to decline this application and ensure they carry out some of their stated aims of preserving the conservation areas in and around the village.</p>
<p>2 Church Farm Cottages Pipers Hill Great Gaddesden Hemel Hempstead HP1 3BY</p>	<p>As a resident of Great Gaddesden for more than 10 years I would like to add my voice to the many who have raised objections to this development. I was, in fact, about to type "proposed development" in the previous sentence but the fact is that the applicants just went ahead and stuck up the fence and are now hoping that no one will mind. Such arrogance cannot be ignored. As others have already stated, the fencing is both ugly and an overkill if one believes it is simply to retain sheep. However, maybe its purpose is to keep people away from a hazardous waste site containing asbestos and other toxic substances. In any event, there is no place for industrial type fencing in our village and I would not like to see this area further industrialised by it being used as a storage facility for skips. In conclusion, I would recommend that the applicant be made to pay for a full contamination survey that may (or may not) put residents' minds at ease, and replace the industrial fencing with one more sympathetic to the area.</p>
<p>12 Church Meadow Great Gaddesden Hemel Hempstead HP1 3BS</p>	<p>As residents of Church Meadow my partner and I object to this application for the following reasons: The applicant has erected a fence completely out of character with</p>

fencing around the area. It looks like security fencing for an industrial site rather than anything to be used for livestock. In an AONB and a Conservation area it is singularly inappropriate.

The comparison with the school fence alluded to in the "Background Information" is specious as a school fence is for a different purpose. Similarly the argument of preventing rubbish being thrown in from a bus stop is ridiculous as the bus stop has not been used for several years and there is no evidence of rubbish accumulation on the site.

Para 5 With regards the hard standing and fencing, no other grazing fields in the area appear to need such access or fencing. If there are any parking issues then a clear notice on the gate should suffice. There is no such notice at the moment. The road outside is wide and well surfaced and should give adequate access.

Further to these objections we have concerns about details and inaccuracies in the application.

Para 6 "use of site". It is stated as being vacant and reclaimed floodplain. It is in fact a landfill site on the edge of, and raised far above, the level of the river Gade and the adjacent field.

The Applicant has marked 'no' for "contamination: actual. suspected" etc. There is rubble and waste all over the land which has not been leveled or covered with earth as mandated in the planning consents. On a walk along the western edge of the land in early Spring I and my partner saw plastic waste protruding from the edge of the raised embankment (only hardcore waste was permitted). If, as locals state, a factory was dumped there in the 1980s there must be legitimate concerns over contamination. This is on the edge of a watercourse in which children play downstream in Gadebridge Park.

If the Applicant had accurately described its use as "landfill site" the Applicant would then have been able to complete the box requesting "when did this use end". They have left it blank.

Para 8

The application seems to be incorrect here.

An altered access is proposed i.e. a hard standing road from the public highway.

Para 9

No other farmer in the area requires parking or hard standing in a grazing field. Why should it be allowed on an AONB and a conservation area.

Para 12.

The Applicant states there is no important habitat or designated site adjacent to or near. In fact the site is in the Chilterns AONM and a Conservation area.

12b. "designated sites"

Hard standing and industrial mesh fencing do affect adversely this

	<p>"designated site"</p> <p>Para 25 The positioning of the new fence has entailed a takeover of Herts County Council land and has led to utilities e.g, Openreach, having difficulty accessing infrastructure to carry out repairs and improvements.</p> <p>If Herts County Council have agreed to this could we have their certificate showing their approval?</p> <p>In our opinion the fence should be removed and replaced by one observing the original boundary appropriate for grazing livestock and in keeping with the area. The road should be removed and the requirements laid down in the planning permissions related to the land enforced; i.e. leveled and covered with 1 metre of topsoil in preparation for use as grazing. In view of the history of landfill next to a river a contamination survey should be carried out.</p>
<p>2 Church Farm Cottages</p> <p>Pipers Hill Great Gaddesden Hemel Hempstead HP1 3BY</p>	<p>As a local resident of 30 years, I am alarmed by the apparent new development of the site I have always known of as "Bishops Tip". The new metal fencing is unsightly in a conservation area and the recent enlargement of the hard standing seems unnecessary if the site is only to be used for grazing. I remember that in 1991 the owners applied for the site to be converted into a car park, which was refused.</p> <p>Details on the planning application are inaccurate. For example, there has not been a bus stop here for many years. Neither have I seen any evidence of tipping or refuse on the land during the last 30 years. If there had been, this would have appeared unsightly and I am sure local residents, and certainly I, would have complained and brought this to the attention of the council.</p> <p>I am concerned too that residents including children at the local school (where my child also attended) may be affected by contaminants from the waste which I now realise was tipped there many years ago. Therefore, to allay fears of residents, and to inform any decisions, surely there needs to be an analysis of the soil for contaminants, and a decision made about appropriate use of the land and its suitability, if any, for grazing of animals.</p> <p>Reading Dacorum Borough Council's Conservation Plan for Great Gaddesden, this fencing would surely be considered to be an unsympathetic boundary treatment in the centre of the village and conservation area. I believe this high industrial type fencing should be removed and replaced with something more sympathetic to our village in an area of Outstanding Natural Beauty. So far, I cannot see that the Conservation Officer is involved in any decision making regarding these plans.</p> <p>It appears that the owners have no regard for planning regulations and I wonder what their intentions are.</p>
<p>Farm Cottage St Margarets</p>	<p>I live close to Great Gaddesden and objection is based around a numbers of concerns.</p>

<p>Great Gaddesden Hemel Hempstead HP1 3BZ</p>	<p>Before laying them out I think it important to remind Dacorum council that this is an Area of Outstanding Natural Beauty and the site in question is a rare habitat zone. Chalk streams such as the River Gade are increasngly rare. It is now one of less that 200 biomes of this type in the world. Protecting these habitats is our duty and this is increasingl recognised by national and local governments. Chalk streams such as the River Gade our own local Amazons, home to rare spcies in decline.</p> <p>The first objection is in relation to the possible disturbance of contaminated land. With a primary school less than 50m away, and with children ourselves I would expect the council to have a duty of care around this area, and before moving ahead undertake a FULL environmental survey to establish the exact make up of the site. If the land is conatimated in any way I do not think simply covering it with top siol is enough. Given the fragile habitat zone it is in the council should ensurethe land is fully decontaminated.</p> <p>I am also concerned an works may increase this risk of long term, term flooding which again the council must surely have a duty and responsibility for.</p> <p>The fencing which has already been constructed is completely out of character with what is a conservation area, and appears to be somewhat at odds in terms of size and scope to the proposed application.</p> <p>Also, the road was started without permission. It should be removed.</p> <p>many thanks for your considerations</p>
<p>White Hill Centre, White Hill, Chesham, Bucks, HP5 1AG</p>	<p>4/02109/19/FUL LAND OFF PIPERS HILL, CHURCH MEADOW, GREAT GADDESSEN SITE FENCING (RETRO) AND COMPLETION OF HARDSTANDING</p> <p>I am writing on behalf of the Chiltern Society in respect of the above application. This resubmission, following alterations/corrections to the original application, has only very minor changes and therefore The Society wishes to reiterate its serious concern about this site and the past and recent activities that have occurred.</p> <p>The residents have confirmed that the site may have been tipped with contaminated materials in the 1980s when permission was given by Herts County Council for the land level to be raised. Unless there was constant monitoring, there is no way of knowing what inert materials were deposited. This has been confirmed by the Council's Lead Scientific Officer in his report dated 17 September 2019. He states 'The potential for the deposited inert materials to be associated with contaminated material, or for non-inert waste to have been deposited at the site cannot be completely ruled out.'</p> <p>Whilst he doesn't specifically object, there is a caveat that...'due to the</p>

land use history of the site and the possibility that works result in the disturbance of the upper layer of the site might expose materials that were deposited as waste rather than as a growth medium to support the landscaping scheme following closure of the tipping activities.'

Therefore, The Society would request that the applicant provide detailed analysis and carry out any necessary decontaminating measures before any further work is carried out. This is particularly vital given the proximity to a school and its playing area, residential properties and the River Gade. In this connection the water authority should be involved in any assessment and potential decontamination measures.

The site lies within the Chilterns Area of Outstanding Natural Beauty. In the National Planning Policy Framework, February 2019, Section 15: Conserving and Enhancing the Natural Environment, para. 170 states:

intra alia 'Planning policies and decisions should contribute to and enhance the natural and local environment by:

a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);

b) recognising the intrinsic character and beauty of the countryside, ...

d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;

e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability....

and f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

Further, under Ground Conditions and Pollution para. 178.... Planning policies and decisions should ensure that: a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation); b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and c) adequate site investigation information, prepared by a competent person, is available to inform these assessments.

179. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner (which in this instance includes HCC). 180. Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

	<p>Clearly a much more detailed approach should be taken in considering this application as it is not just a matter of fencing and the formation of a parking/turning area.</p> <p>Also, before any decision is made by Dacorum, the question of what Herts County Council intend to do about the unauthorized works (ie. fencing) that has been carried out on their land should be clarified. Do they condone this 'land grab'?</p> <p>With respect to the fencing, the type installed is clearly inappropriate for land in the rural area, th Chilterns AONB and the Great Gaddesden Conservation Area. The comparison with the fencing provided around the school is factitious as this is needed for security of the children.</p> <p>If, as the applicants claim, the land maybe used for the grazing of livestock, the height and materials are completely unnecessary, as all the livestock farmers in the area who use other less intrusive and more appropriate fencing for the area clearly demonstrate. The reduction in height around the corner does nothing to improve the appearance nor make it acceptable. Again, the claim that there has been tipping of garden waste and rubbish from the bus stop (note: this bus stop has not been used for several years) into the site is not a reason for this type of fencing.</p> <p>Again, livestock farmers do not provide substantial and robust track and turning facilities into their fields in order to tend to their animals. It is totally unnecessary, especially as the applicant states that it would '... allow vehicles to fairly safely use the site for the very occasional use when required.' If it is that occasional a sign saying 'No Parking' would adequately suffice and visits could be restricted to outside the very short periods of school dropping off/collecting times.</p> <p>Therefore, the Chiltern Society OBJECTS to this application and would request that retrospective planning permission be refused and enforcement action be taken to remove the fencing and the partly constructed access track and following a contamination investigation, the land owner(s) should be required to undertake remedial action under close supervision.</p> <p>Yours sincerely,</p> <p>Anna Barnard Planning Field Officer, Chiltern Society</p>
<p>Gade Mead Pipers Hill Great Gaddesden Hemel Hempstead HP1 3BY</p>	<p>I would like to object to the retrospective planning application for land off Pipers Hill at Church Meadow, Great Gaddesden.</p> <p>Taking into account that Great Gaddesden is an A.O.N.B. and a conservation area.</p> <p>The fencing that has been erected, without planning permission. Is not of a conventional type for grazing animals. It reminds me more of site fencing.</p>

	<p>It is an unusual request for a hardstanding and turning area to be needed on land that is to be used for grazing. No grazing field in the area , in any type of situation, has a hardstanding. Which may injure the grazing animals if they slip or trip on it!</p> <p>As the site has been used for tipping in the past, any disturbance of the land may contaminate the chalk stream. Putting the wildlife it supports at risk. Not to mention the children that play in the river downstream in Gade Park.</p> <p>I feel this application should be refused. Thank you for your time.</p>
<p>11 George Street Hemel Hempstead HP2 5HJ</p>	<p>I wish to strongly object to any procedure which disturbs the soil on this site, as it has been bought to my notice there is contaminated waste on this site which may contain harmful chemicals of which little was known of effects at the time. I think this is a serious worry with junior school so close , this has in no way been investigated in a professional manner with young lives to be taken into account.</p>
<p>Great Gaddesden C Of E School Church Meadow, Great Gaddesden, Hemel Hempstead HP1 3BS</p>	<p>GREAT GADDESSEN C of E SCHOOL</p> <p>On behalf of Great Gaddesden C of E School I advise that we strongly OBJECT to this application for the following reasons</p> <ol style="list-style-type: none"> 1. the fencing and roadway have been installed without planning consent 2. this is an AONB, conservation area and opposite significant listed structures and therefore we feel that the fence in not in keeping. 3. The reasoning for the fence is sited so as to contain sheep, the fencing across the road is timber post a rail and retains the sheep adequately 4. The road make up is unclear from the application and appears not to be a SUDs specification. This is not in keeping with the conservation area and surrounding sheep fields which have no hard standing at the entrance. Contamination is likely to access the water course. 5. Large scale machinery was being used prior to this application being submitted and is likely to be used again. This causes concern when considering the children's access and egress to the school. It certainly was a concern when the fence was erected and works were being undertaken. <p>We do not feel that the development as it is now, or is planned to be is suitable for the village or the school and therefore would prefer for it to be replaced with something more suitable.</p>
<p>The Old Vicarage Pipers Hill Great Gaddesden Hemel Hempstead Hertfordshire</p>	<p>We strongly object to this application for the following reasons</p> <ol style="list-style-type: none"> 1. The fencing and roadway have been installed without planning consent

<p>HP1 3BY</p>	<p>2. Great Gaddesden is an AONB and also a conservation area. It is opposite significant listed structures and therefore we feel that the fence in not in keeping.</p> <p>3. The applicant claims the fence is for grazing, but the type of security fencing installed without permission is totally inappropriate for grazing and also the location in the village is also not suitable for grazing purposes. The fencing across the main road, of timber post and rail, retains the sheep adequately.</p> <p>We therefore strongly feel that this retrospective application is completely unsuitable for the village and should be rejected.</p>
<p>3 Jubilee Cottages Tring Road Dunstable LU6 2JU</p>	<p>The site in question is section 4 of the Great Gaddesden conservation area as stated in your own 2010 Character Management proposal. As such it brings a number of statutory provisions aimed at assisting the preservation and enhancement of the area. Dacorum Borough Council have an obligation to apply policies vigorously when considering development proposals affecting the area.</p> <p>Mechanisms through which a council can manage the future of the Conservation area is through:</p> <ul style="list-style-type: none"> Application of policy Boundary changes Enforcement!!!!!! <p>Amelioration and improvement to enhance boundaries is an important part of the conservation area. High security industrial fencing is none of these things and is a blot on the landscape. Boundaries need to be made of natural materials as stated in the conservation proposals.</p> <p>Section 4 of the conservation (Bishops field) area also states it is a woodland area and as such does need a high industrial fence.</p> <p>I object on grounds of design, appearance and materials. A high security industrial fence is not in keeping in an area of woodland as stated in your own Great Gaddesden Conservation area Character Appraisal and Management Proposal of 2010 in which it states you should reinforce the village character. Bishops field (part owned by Dacorum) is section 4 of this plan and it is the council's duty to enhance an important node of this conservation area.</p> <p>Under this management boundary treatment should use traditional material (pg 35)</p> <p>Section 72 specifies in making a planning decision on an application in this area special attention should be paid to the desirability of preserving or Enhancing the Character or Appearance of the area. Industrial security fencing is neither! It is next to grade One and two listed properties ?</p> <p>Great Gaddesden conservation area could be one of the most attractive areas in Dacorum and it is stated that it is Very important to maintain the Sylvan aspect of this place. ! Why would planning go against their own studies and grant planning for industrial fencing in this protected area of outstanding natural beauty?</p> <p>Please do not pay lip service to the 1990 planning act section 71 but enforce it and enhance our natural beauty not put a blot on our area by allowing Bishops fencing to stay.</p>

	<p>I would also like to state that I dont think anyone in the area have very seen green waste removed from the area.</p>
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