

**4/00862/15/FUL - REPLACEMENT OUTBUILDING ON SMALLHOLDING FOR STORAGE.
HIGH RIDGE FARM, ROMAN ROAD, FRITHSDEN, BERKHAMSTED.
APPLICANT: MR N KIRKHAM.**

[Case Officer - Rachel Marber]

Summary:

This application is recommended for approval.

The retrospective outbuilding through size, position and design would not adversely impact upon the openness of the Rural Area, visual amenity of the existing small holding, immediate street scene, AONB, or the residential amenity of neighbouring residents. The proposal is therefore in accordance with saved appendixes 3 and 7, policies 22 and 97 of the Dacorum Local Plan (1991), the NPPF (2012), and policies CS7, CS11, CS12 and CS24 of the Core Strategy (2013).

Site Description

The application site is located on the West side of Roman Road, Frithsden. The site comprises of an agricultural smallholding which is accessed from a long private track off Roman Road. The site falls within a designated Rural Area and the Chilterns Area of Outstanding Natural Beauty. The site comprises of a number of outbuildings, including a small dwelling house.

The surrounding area is rural characterised by a natural valley and surrounded by open fields and farm lands which also form part of the Chilterns AONB. Roman Road is situated within relatively Close Proximity to Berkhamsted Town Centre.

Proposal

This application seeks retrospective permission for a replacement outbuilding within the north curtilage of the smallholding; the functionality of the outbuilding is for agricultural storage.

Referral to Committee

The application is referred to the Development Control Committee due to the contrary views of Nettleden with Potten End Parish Council.

The following reason was provided:

In isolation this looks quite straight forward, however given it's on the same site as application 4/00864/15/LDE and given that it looks like it's designed to be a dwelling, (not sure why you need french doors on a Barn) then it's an objection.

Relevant Planning History

4/00864/15/LD DOMESTIC DWELLING
E

Delegated

4/01426/99/RE SINGLE STOREY OFFICE AND STORE
T BUILDING.REPLACEMENT BARN
Refused
30/03/2000

4/01428/99/LD USE OF BUILDINGS FOR STRIPPING OF WOOD AND METAL
E ARTICLES (LAWFUL DEVELOPMENT CERTIFICATE EXISTING
USE)
Refused
15/06/2000

4/00025/94/FU USE OF LAND AND BUILDING AS BASE FOR PONY TREKKING
L
Granted
17/03/1994

Policies

National Policy Guidance

National Planning Policy Framework (NPPF)
National Planning Policy Guidance

Dacorum Core Strategy (2013)

CS4 - The Towns and Large Villages
CS7- Rural Area
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS24- The Chilterns Area of Outstanding Natural Beauty

Saved Policies of the Dacorum Borough Local Plan (1991-2011)

Policy 13 - Planning Conditions and Planning Obligations
Policy 22 – Extensions to Dwellings in the Green Belt and the Rural Area
Policy 97- Chilterns Area of Outstanding Natural Beauty
Appendix 3 - Gardens and Amenity Space
Appendix 7 - Small-scale House Extensions

Summary of Representations

The Chiltern Society

Objection

“The Chiltern Society is concerned about this site which lies on a very visible and prominent ridge within the Chilterns Area of Outstanding Natural Beauty. The site location plan indicates very limited land relating to the application (within the blue line) and the amount of existing buildings appears disproportionate to this area. Further building on this site should only be permitted if strictly required for the purposes of agriculture, and, given the limited extent of land shown, and that the building appears more akin to residential use rather than farming, the Society must object.”

Nettleden with Potten End Parish Council

Objection

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Constraints

Rural Area of Frithseden, Berkhamsted.

- Chilterns Area of Outstanding Natural Beauty

Considerations

Principle of Development in a Rural Area

The application site resides within a Rural Area where Policy CS7 of the Core Strategy (2013) advises that small scale development for agricultural use and farm diversification is acceptable.

The outbuilding has an approximate depth of 5.2 metres, width of 10 metres and height (to ridge) of 3.8 metres; thus a total floor area of 52m². This is considered a proportion development which is appropriate within a Rural Area due to agricultural use, contributing to the local economy.

Furthermore, the retrospective outbuilding has replaced a previously dilapidated outbuilding of identical dimensions and thus the proposed would not contribute to a size increase. Similarly, policy CS7 of the Core Strategy (2013) states that replacements of existing buildings for the same use is an acceptable development within a Rural Area.

Consequently the proposed is not considered to have a detrimental impact upon the openness and visual amenity of the surrounding Rural Area; adhering to Policy CS7 of the Core Strategy (2013).

Principle of Development in the Chilterns AONB and Impact on Visual Amenity

The application site is also located within the Chilterns Area of Outstanding Natural

Beauty wherein the principle of development is subject to prime planning considerations which give regard to conservation of the beauty in addition to the economic and social well-being of the area and its communities. Thus, development is permitted subject to its satisfactory assimilation into the landscape and accordance with saved policy 97 of the Local Plan (1991) and policy CS24 of the Core Strategy (2013).

In addition, saved appendix 7 of the Dacorum Local Plan (1991), policies CS11 and CS12 of the Core Strategy (2013) and the NPPF (2012) all seek to ensure that any new development/alteration respects or improves the character of the surrounding area and adjacent properties in terms of scale, massing, materials, layout, bulk and height.

In accordance with the submitted retrospective application, the outbuilding is constructed from feather edge boarded walls, which would be stained black with a green profiled metal cladded roof. These materials are considered acceptable for this type of outbuilding and in-keeping with the traditional agricultural surroundings and AONB.

Furthermore, due to the agricultural storage function of the replacement outbuilding the retrospective application is not considered to be intrusive in terms of noise, disturbance, light pollution, traffic generation or parking.

Additionally, the impact of the retrospective outbuilding upon the surrounding area is further mitigated by the fact the smallholding is not visible from a public highway, but located off a private track and surrounded by other outbuildings. Thus, the retrospective outbuilding is considered to be sympathetically sited in the centre of the smallholding, and designed with regard to natural contours, landscape, planting and other buildings. As a result the outbuilding does not have an adverse effect on skyline views or the AONB.

Accordingly, the outbuilding is considered to have nominal impact upon the visual appearance of the surrounding small holding, AONB and street scene; observing the requirements of the NPPF (2012), saved policy 97 of the Local Plan (1991) and policy CS11, CS12 and CS24 of the Core Strategy (2013).

Lawful Development Certificate (Existing)

A Lawful Development Certificate has been submitted for a residential dwelling within the curtilage of the smallholding. This application has been recommended for approval based on evidence that such a unit has been in residential use for more than 4 years. Although, the replacement outbuilding would be located immediately adjacent to the residential dwelling, it would be utilised for agricultural purposes. To ensure appropriate development within the Rural Area the outbuilding should maintain agricultural use and not transgress into a separate self-contained unit for purposes incidental to the approved dwelling house. Subsequently, a condition ensuring agricultural use only has been imposed on the grant permission (in turn mitigating Parish Council concerns).

Effect on Amenity of Neighbours

The NPPF outlines the importance of planning in securing good standards of amenity for existing and future occupiers of land and buildings. Appendix 3 of the Local Plan (1991) and policy CS12 of the Core Strategy (2013), seek to ensure that new development does not result in detrimental impact on neighbouring properties and their amenity space. Thus, the proposed should be designed to reduce any impact on neighbouring properties by way of visual intrusion, loss of light and privacy. Moreover, appendix 7 of the Local Plan advises that alterations should be set within a line drawn at 45 degrees from the nearest neighbouring habitable window.

Due to the outbuilding being located within a Rural Area, and within a smallholding no neighbouring residential properties reside within the immediate vicinity. As a result the retrospective application does not impact upon neighbouring residential amenity and is acceptable in terms of the NPPF (2012), appendixes 3 and 7 of the Local Plan (1991) and policy CS12 of the Core Strategy (2013).

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

- 1 **The replacement outbuilding hereby permitted shall not be occupied at any time for purposes other than agricultural use.**

Reason: To safeguard and maintain the character appearance of the Rural area and AONB as expressed in LPA policies' CS12 and CS24 of the Core Strategy (2013) and policies' 22 and 97 of the Saved DBLP 1991-2011.

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

145 SU 1.02 (at A4)

145 SU 1.02 (at A2)

145 pa2.01

145 pa2.04

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