

**ITEM NUMBER: 5d**

<b>21/00365/FUL</b>	<b>Raising of roof, Change of roof pitch, Conversion of barn to residential use and changes to fenestration. Repositioning of tree planting screen.</b>	
<b>Site Address:</b>	<b>Barn A Birch Lane Flaunden Hertfordshire HP3 0PT</b>	
<b>Applicant/Agent:</b>	<b>Flaunden Construction Ltd</b>	<b>Mr Abel Bunu</b>
<b>Case Officer:</b>	<b>Elspeth Palmer</b>	
<b>Parish/Ward:</b>	<b>Flaunden Parish Council</b>	<b>Bovingdon/ Flaunden/ Chipperfield</b>
<b>Referral to Committee:</b>	<b>Due to contrary view of Flaunden Parish Council</b>	

**This application was deferred by members at the DMC meeting on 27.5.21 to allow time for a Dacorum Borough Council Trees and Woodlands Officer to visit the site and verify the condition of the row of trees adjacent to Barn A.**

**The Trees and Woodlands Officer visited the site on Friday 11<sup>th</sup> June and stated that his previous comment still stands as all trees are in the condition as was recorded in the arboricultural report.**

**He took photos on site and they match the arboricultural consultant's photos. Some of these photos will be shown as slides to members at the meeting.**

**The trees are severely decayed and are defected. No objection is therefore raised to their removal and replacement with the details as specified.**

The original Committee report is set out below.

**1. RECOMMENDATION**

That planning permission be granted.

**2. SUMMARY**

2.1 The proposed repositioning of the tree planting screen is considered acceptable in this case as there will be no detrimental impact on the visual amenity of the area or the Flaunden Conservation Area and no loss of residential amenity.

2.2 The raising of the roof, change of roof pitch, conversion of barn to residential use and the changes to the fenestration were approved at the Development Management Committee meeting on 21.5.20. These works have already been completed.

2.2 The proposal will comply with Core Strategy Policies CS12 and 27.

**3. SITE DESCRIPTION**

3.1 The site (outlined in red) is located on the eastern side of Birch Lane, Flaunden and is accessed via an unnamed access lane. The site comprises the access and a partly converted Barn – which for the purposes of this and previous applications is called “Barn A”.

3.2 The adjacent land (outlined in blue) on the site location plan includes large open fields located to the north-east and north-west and to the south of the site there are three buildings which include:

- Barn B – now called “Honeysuckle Cottage” – which is in residential use and the Manager’s cottage;
- Large U shaped stable building and a menage; and
- The Coach House – a residential unit which historically was the manager’s cottage for the equestrian use.

3.3 The site is located within the Metropolitan Green Belt and partly covered by the Flaunden Conservation Area. The boundary of the Conservation Area runs along the western side of Barn A and includes the access road.

#### **4. PROPOSAL**

4.1 The proposal is for the raising of roof, change of roof pitch, conversion of barn to residential use and changes to fenestration. Repositioning of tree planting screen.

#### **Background**

4.2 The whole of this site was the subject of a holistic approach considered under planning application 4/03481/15/MFA which aimed to allow some residential use on the site whilst re-establishing the previous equestrian use. Conversion of Barn A to form a 4 bedroom dwelling was approved as part of this application.

4.3 A later application 4/01658/16/FUL granted planning permission for conversion of the existing agricultural barn to two semi-detached dwellings on 24.3.17.

4.4 4/02327/19/DRC approved a landscaping plan which showed protection of the trees and a footpath along the western side of Barn A.

4.5 The raising of roof, change of roof pitch, conversion of barn to residential use and changes to fenestration part of the current scheme has already been granted by the Development Management Committee at its meeting on 21.5.20 under planning application number 20/00089/FUL. For assessment of these aspects please see the Development Management Committee report for this application.

4.6 Due to the other works having been already approved and built it is considered necessary to only discuss the repositioning of tree planting screen. Please refer to the previous report for details on the acceptability of the these other works.

#### **5. PLANNING HISTORY**

Planning Applications (If Any):

19/03114/ROC - 3114 Removal of condition 11 of planning permission 4/01658/16/FUL (conversion of existing agricultural barn to 2 semi detached dwellings)  
*WDN - 4th February 2020*

20/01452/DRC - Details as required by condition 4 (Tree protection plan) and condition 9 (garage details) attached to planning permission 20/00089/FUL (Raising of Roof, Change of Roof Pitch, Conversion of Barn to Residential Use and Changes to Fenestration).  
*GRA - 3rd August 2020*

20/03219/DRC - Details as required by condition 2 (Materials) and 8 (Hard \_ Soft Landscaping) of planning permission 20/00089/FUL (Raising of Roof, Change of Roof Pitch, Conversion of Barn to Residential Use and Changes to Fenestration)  
*REF - 15th December 2020*

20/03345/FUL - Construction of 2 new dwellings.  
*REF - 23rd December 2020*

21/00614/FUL - Raising of Roof, front extension within the courtyard. Conversion of stable building to residential use and changes to fenestration.  
*REF - 9th April 2021*

4/02327/19/DRC - Details as required by condition 2 (materials) condition 3 (landscaping) condition 4 (contamination), condition 7 (layout of use) condition 8 (fire hydrants) condition 10 (business plan) attached to planning permission 4/01658/16/FUL (Conversion of existing agricultural barn to 2 semi-detached dwellings.)  
*GRA - 12th February 2020*

4/01674/19/NMA - Non material amendment to planning permission 4/03481/15/mfa - conversion of existing agricultural barn to form a 4 bed detached dwelling; conversion of existing agricultural barn to form a 2 bed detached dwelling with manager's office; single storey rear  
*GRA - 10th September 2019*

4/01300/17/DRC - Details required by condition 3(landscaping), 4(contaminated land), 5(contaminated land), 7(approved plans), 8(fire hydrants), 11 (materials) and 12 (business plan) attached to planning permission 4/02937/16/ful - conversion of agricultural barn to form a  
*GRA - 13th July 2017*

4/01239/17/RET - Material change of use from workshop and office to bedroom, interior reconfiguration and external minor amendment (retrospective).  
*WDN - 20th May 2019*

4/01192/17/DRC - Details of materials, landscaping, contamination, horse and pedestrian safety, sustainability, fire hydrants and business plan as required by conditions 2, 3, 4, 7, 8 and 10 of planning permission 4/01658/16/FUL (conversion of existing agricultural barn t  
*REF - 3rd January 2019*

4/01069/17/ROC - Variation of conditions 2 (materials) & 11 (approved plans) attached to planning permission 4/01658/16/FUL (conversion of existing agricultural barn to 2 semi detached Dwellings.  
*WDN - 20th May 2019*

4/02937/16/FUL - Conversion of agricultural barn to form a pair of semi detached dwellings comprising a two-bedroom unit for a stable manager with associated tack storage, lockable office and a one-bedroom dwelling for open market Housing.  
*GRA - 24th March 2017*

4/02298/16/DRC - Details required by conditions 3 (hard and soft landscaping), 4 (phase 1 report), 6 (layout of equestrian use), 7 (fire hydrants), 10 (external materials), 11 (external materials) and 12 (business plan) attached to planning permission 4/03481/15/mfa - con  
*GRA - 13th February 2017*

4/01658/16/FUL - Conversion of existing agricultural barn to 2 semi detached Dwellings.  
*GRA - 24th March 2017*

4/03688/15/FUL - Part demolition of existing agricultural barn and change of use to a daytime community centre and warden's office. change of use of existing parking area to 7 traveller and gypsy pitches including 7 day units  
*INSFEE -*

4/03481/15/MFA - Conversion of existing agricultural barn to form a 4 bed detached dwelling; conversion of existing agricultural barn to form a 2 bed detached dwelling with manager's office; single storey rear extension to coach house; and refurbishment and improvement of  
*GRA - 5th July 2016*

4/01123/15/FUL - Conversion of an existing stables to form a single four bedroom house with garage and workshop (revised Scheme).  
*REF - 21st August 2015*

4/01569/05/FUL - Stationing of caravan for safety and welfare of horses  
*REF - 19th September 2005*

4/02292/03/FUL - Extension to cottage and conversion of adjoining stables. demolition of tack/feed room  
*GRA - 18th December 2003*

4/00567/03/FUL - Demolition of existing tack and feed room, conversion of stables and extension to accommodation  
*REF - 8th May 2003*

4/02089/01/CAC - Removal of barn  
*REF - 21st February 2002*

4/02088/01/FUL - Replacement of existing barn with new dwelling house  
*REF - 21st February 2002*

4/00848/01/CAC - Demolition of barn  
*REF - 28th August 2001*

4/00821/01/FUL - One dwelling  
*REF - 28th August 2001*

20/01889/FUL - New Dwelling  
*PDE -*

21/00196/DRC - Details as required by condition 2 (Materials) attached to planning permission 20/00089/FUL (Raising of Roof, Change of Roof Pitch, Conversion of Barn to Residential Use and Changes to Fenestration.)  
*GRA - 16th March 2021*

4/02200/19/FUL - Conversion of two rooms in existing building to make residential accommodation. Internal re-configuration and minor external Alterations.(retrospective).  
*GRA - 11th November 2019*

4/01674/19/NMA - Non material amendment to planning permission 4/03481/15/mfa - conversion of existing agricultural barn to form a 4 bed detached dwelling; conversion of existing agricultural barn to form a 2 bed detached dwelling with manager's office; single storey rear  
*GRA - 10th September 2019*

4/01300/17/DRC - Details required by condition 3(landscaping), 4(contaminated land), 5(contaminated land), 7(approved plans), 8(fire hydrants), 11 (materials) and 12 (business plan) attached to planning permission 4/02937/16/ful - conversion of agricultural barn to form a  
*GRA - 13th July 2017*

20/00089/FUL - Raising of Roof, Change of Roof Pitch, Conversion of Barn to Residential Use and Changes to Fenestration.

*GRA - 28th May 2020*

20/01452/DRC - Details as required by condition 4 (Tree protection plan) and condition 9 (garage details) attached to planning permission 20/00089/FUL (Raising of Roof, Change of Roof Pitch, Conversion of Barn to Residential Use and Changes to Fenestration).

*GRA - 3rd August 2020*

20/03219/DRC - Details as required by condition 2 (Materials) and 8 (Hard \_ Soft Landscaping) of planning permission 20/00089/FUL (Raising of Roof, Change of Roof Pitch, Conversion of Barn to Residential Use and Changes to Fenestration)

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*GRA - 16th March 2021*

21/00614/FUL - Raising of Roof, front extension within the courtyard. Conversion of stable building to residential use and changes to fenestration.

*REF - 9th April 2021*

Appeals (If Any):

21/00005/REFU - Construction of 2 new dwellings.

*INPROG -*

4/02986/15/FUL - Development Appeal

*- 17th August 2016*

4/01123/15/FUL - Development Appeal

*- 17th August 2016*

4/02089/01/CAC - Development Appeal

*- 4th September 2002*

4/02088/01/FUL - Development Appeal

*- 4th September 2002*

4/02987/15/FHA - Development Appeal

*- 17th August 2016*

## **6. CONSTRAINTS**

Special Control for Advertisements: Advert Spec Control

CIL Zone: CIL2

Flaunden Conservation Area

Former Land Use (Risk Zone):

Green Belt: Policy: CS5

Heathrow Safeguarding Zone: LHR Wind Turbine

Parish: Flaunden CP

RAF Halton and Chenies Zone: Green (15.2m)

Parking Standards: New Zone 3

EA Source Protection Zone: 2

EA Source Protection Zone: 3

## **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 (July 2021)  
Dacorum Borough Core Strategy 2006-2031 (adopted September 2013)  
Dacorum Borough Local Plan 1999-2011 (adopted April 2004)

Relevant Policies:

NP1 - Supporting Development

CS5 – Green Belt

CS12 - Quality of Site Design

CS27 – Quality of the Historic Environment

Supplementary Planning Guidance/Documents:

Parking Standards (Nov 2020)  
Planning Obligations (2011)  
Roads in Hertfordshire, Highway Design Guide 3rd Edition (2011)  
Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice (2011)

## **9. CONSIDERATIONS**

### Main Issues

9.1 The main issues to consider are:

The policy and principle justification for the proposal;  
Impact on Green Belt;  
The impact on visual amenity and the Flaunden Conservation Area; and  
The impact on residential amenity.

### Principle of Development

9.2 To fell one group of trees and provide a new tree planting screen outside a Conservation Area would not normally require planning permission but these trees are protected by a condition set on the previous approval 20/00089/FUL.

9.3 The reason for the condition was:

“To improve the appearance of the development and its contribution to biodiversity and the local environment, as required by saved Policy 99 of the Dacorum Borough Local Plan (2004) and Policy CS12 (e) of the Dacorum Borough Council Core Strategy (2013).”

- 9.4 Retention of this row of trees was an important part of the previous approvals to ensure that there was a visual buffer between the barn conversion and the dwellings to the west. These trees are still important but have significant decay and defects.
- 9.5 The current scheme will replace the existing tree screen with a row of Hornbeam trees set on the other side of the existing unmade access road beside the dwelling so would be acceptable in principle as long as the details accord with other relevant policies.

#### Impact on Green Belt

- 9.6 The red line for this application is larger than in the previous application to include the track to the west of Barn A and some of the adjacent equestrian paddock. The row of trees are proposed to be planted along the side of this equestrian paddock.
- 9.7 It is not intended that this area of land be within the curtilage of Barn A – a condition has been placed to ensure that this land remains open land and not be part of the residential curtilage.

#### The impact on visual amenity and the Flaunden Conservation Area

- 9.8 The Conservation and Design Officer has stated that he does not have an issue with the re-positioning of the tree planting. The existing trees are in poor condition, and the proposed replacement hornbeam trees, 5-6 metres in height, and under hedging should provide a sufficient new screen.
- 9.9 The Trees and Woodland Officer has advised that the existing vegetation has severe decay and significant defects. He considers the replacement of this vegetation with the proposed screen of Hornbeam trees (to be planted at a height of 5-6 metres across the lane) would create a thicker and healthier screen of vegetation between the converted barn and the neighbours to the west.
- 9.10 The proposal will comply with CS12 and CS27.

#### Impact on Residential Amenity

- 9.11 The nearest dwelling to Barn A is in excess of 50 metres away to the west. The relocation of the screen will still provide a visual buffer between the barn conversion and the two dwellings to the west so there will be no loss of amenity as a result of the proposed scheme.
- 9.12 The proposal will comply with CS12 with regard to amenity.

#### Other Material Planning Considerations

##### Conditions

- 9.13 Some of the conditions placed on the previous approval have been discharged so can be modified for this application. The agent has prepared an Addendum with a schedule of the previous conditions already discharged together with the associated details. The conditions have been amended accordingly.

##### Ecology

- 9.14 As the tree line is mature and well established vegetation removal, demolition works, etc. between March and August (inclusive) may risk committing an offence under the Wildlife & Countryside Act 1981 (as amended) and applicants and sub-contractors may be liable to prosecution if birds are known or suspected to be nesting. The Council will pass complaints received about such work to the appropriate authorities for investigation. The Local Authority advises that such work should be scheduled for the period 1 September - 28 February wherever possible. If this is not practicable, a search of the area should be made no more than 2 days in advance of vegetation clearance by a competent Ecologist and if active nests are found, works should stop until the birds have left the nest.
- 9.15 The above will be set as an informative for any approval.

#### The impact on highway safety and car parking

- 9.16 As the report is only assessing the repositioning of the tree planting screen there are no highway safety or car parking issues to address.

#### Response to Neighbour Comments

- 9.17 These points have been addressed above.

#### Community Infrastructure Levy (CIL)

- 9.18 Policy CS35 of the Core Strategy requires all developments to make appropriate contributions towards infrastructure required to support the development. These contributions will normally extend only to the payment of CIL where applicable. The Council's Community Infrastructure Levy (CIL) was adopted in February 2015 and came into force on 1 July 2015. This application is CIL liable due to resulting in more than 100m<sup>2</sup> of additional floor space.

### **10. CONCLUSION**

- 10.1 The proposed repositioning of the tree planting screen is considered acceptable in this case as there will be no detrimental impact on the visual amenity of the area or the Flaunden Conservation Area and no loss of residential amenity.
- 10.2 The proposal will not result in an expansion of the residential curtilage of Barn A so there will be no impact on the openness of the Green Belt.
- 10.3 The proposal will comply with Core Strategy Policies CS5, CS12 and 27.

### **11. RECOMMENDATION**

- 11.1 That planning permission be granted.

#### **Condition(s) and Reason(s):**

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

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



2. **The materials to be used between the windows must comply with those materials submitted to discharge condition 2 of 20/00089/FUL under 21/00196/DRC.**

**(A covering letter was submitted with the DRC showing the details of the materials to be used between the windows as Vertical Timber Cladding painted Black - a photo showing part of the building constructed with these materials was submitted.)**

Reason: To ensure satisfactory appearance to the development and to safeguard the visual character of the area in accordance with Policies CS12 and CS27 of the Dacorum Borough Core Strategy (2013).

3. **The development hereby permitted shall be constructed in accordance with the materials specified on the application form submitted with application 20/00089/FUL with the exception of those which describe boundary treatment and the materials between the windows - these are to be addressed via other conditions which require details of boundary treatment and materials.**

Reason: To make sure that the appearance of the building is suitable and that it contributes to the character of the area in accordance with Policies CS12 and CS27 of the Dacorum Borough Core Strategy (2013).

4. **As shown on the approved plans the full size windows at ground floor on the eastern elevation must be non – opening to ensure that no permanent access is allowed to this side of the dwelling and thus further enlargement of the curtilage of the dwelling.**

Reason: To avoid any encroachment into the Green Belt by the construction of a footpath along this side boundary and therefore to comply with the NPPF and CS 5 Green Belt.

5. **All remediation or protection measures identified in the Remediation Statement referred to in Condition (4) of planning application 4/01658/16/FUL shall be fully implemented within the timescales and by the deadlines as set out in the Remediation Statement and a Site Completion Report shall be submitted to and approved in writing by the local planning authority prior to the first occupation of any part of the development hereby permitted.**

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

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development and to comply with CS32.

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

**Schedule 2 Part 1 Classes [A, AA, B, C, D, E, F and G]**

**Part 2 Classes [A, B and C].**

Reason: To enable the Local Planning Authority to retain control over the development in the interests of safeguarding the residential and visual amenity of the locality in accordance

with Policy CS12 of the Dacorum Borough Core Strategy (2013) and the National Planning Policy Framework (2021).

Reason: In the interests of safeguarding the openness of the Green Belt; the rural character of the building and the site; and the visual amenity of the surrounding countryside. The proposed development comprises of the conversion of an agricultural building in a rural area and it is important for the local planning authority to retain control over certain future development which would normally represent permitted development, in order to safeguard the rural character of the surrounding countryside.

7. **Prior to occupation full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:**

- **hard surfacing materials;**
- **means of enclosure: no fencing will be permitted along the western side of the Barn;**
- **An elevation plan showing the siting, height (to be between 5-6 metres high) and coverage of replacement vegetation - a screen of Hornbeam trees and under hedging; and**
- **A floor plan showing the replacement vegetation and the distance between each tree.**

**The planting of the mature trees must be carried out prior to the removal of the row of vegetation (tree planning screen) shown immediately adjacent to Barn A on the proposed site plan.**

**The approved landscape works shall be carried out prior to the first occupation of the development hereby permitted.**

**Any tree or shrub which forms part of the approved landscaping scheme which within a period of 5 years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a species, size and maturity.**

**The replacement vegetation must be retained in perpetuity as shown on the approved soft landscaping details.**

Reason: To improve the appearance of the development and its contribution to biodiversity, the local environment and the Conservation Area, as required by saved Policy 99 of the Dacorum Borough Local Plan (2004) and Policy CS12 (e) and CS27 of the Dacorum Borough Council Core Strategy (2013).

8. **The design and materials to be used for the garage doors must comply with those details (a drawing and text) submitted to discharge condition 9 of 20/00089/FUL under 20/01452/DRC.**

Reason: In the interests of protection of the rural character of the countryside and the Flaunden Conservation Area. To comply with CS5 and CS27.

9. **The curtilage will be restricted to the approved site plan as per the previous application 20/00089/FUL.**

Reason: To avoid any encroachment into the Green Belt by the extension of the curtilage of Barn A and therefore to comply with the NPPF (2021) and CS 5 Green Belt.

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

**Site Location Plan**

**A. 47499. 04J Proposed Floor Plans and Elevations**

**Existing and Proposed Site Plan 02E**

**Addendum containing information relating to discharged conditions**

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

**Informatives:**

1. Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.
2. All wild birds, nests and eggs are protected under the Wildlife & Countryside Act 1981 (as amended). The grant of planning permission does not override the above Act. All applicants and sub-contractors are reminded that site clearance, vegetation removal, demolition works, etc. between March and August (inclusive) may risk committing an offence under the above Act and may be liable to prosecution if birds are known or suspected to be nesting. The Council will pass complaints received about such work to the appropriate authorities for investigation. The Local Authority advises that such work should be scheduled for the period 1 September - 28 February wherever possible. If this is not practicable, a search of the area should be made no more than 2 days in advance of vegetation clearance by a competent Ecologist and if active nests are found, works should stop until the birds have left the nest.
3. It is noted that the horse exercise area is not shown on the proposed or existing site plan - this was part of the MFA approval for continuing equestrian use and should not be removed without permission.

**APPENDIX A: CONSULTEE RESPONSES**

Consultee	Comments
Hertfordshire Highways (HCC)	<p>I have read the email below and understand their points. I was not aware that the application was for the relocation of the planter as within our system it is named ;</p> <p>"Raising of roof, Change of roof pitch, Conversion of barn to residential use and changes to fenestration. Repositioning of tree planting screen"</p> <p>The proposal website page includes additional documents for the barn conversion and therefore, I thought it was a new proposal. Consequently, I accessed the site in terms of a conversion of the barn to residential use. My concerns regarding fire appliance access to that specific barn still stand, however, the applicant has stated that they</p>

	<p>have been in contact with the fire department regarding the wider site. I cannot confirm this but if HCC Highways have already granted this application and this application is just for the repositioning of planters, then this would not be a highway issue. I may have got confused because I am unsure why HCC Highway would be asked to comment on the tree planting screen as this is not within the Highway nor anywhere near.</p> <p>Therefore, in regards to the reposition of the planter, this does not impact the highway network and is deemed acceptable.</p> <p>I would like to take specific note of comment 3 by the applicant below</p> <p>"In my view, this comment is as relevant as it was then. Exploring the history of the site beyond the recent approval appears to me to serve no useful planning purpose. "</p> <p>This statement is misled, the wider site in terms of the highway is served by one access and therefore the barn must be judged in relation to the wider site through the intensification of the existing single access. Consequently, viewing the site as a whole gives HCC Highways a clearer view of how the cumulative impacts of development affect the highway.</p>
Conservation & Design (DBC)	<p>I do not have an issue with the re-positioning of the tree planting. The existing trees are in poor condition, and the proposed replacement hornbeam trees, 5-6 metres in height, and under hedging should provide a sufficient new screen.</p>
Conservation & Design (DBC)	<p>I'm slightly confused why this application needs to refer to raising the barn roof etc, when it is addressing solely the boundary treatment.</p> <p>Also should there not have been an application to regularise the cladding, as per my e-mail of 30/11/20?</p> <p>'Not sure why horizontal boarding is being proposed here, when the original application clearly stated vertical timber cladding, and was the basis on which the application was approved. This is important given that this is not a 'traditional' barn but a large, more modern agricultural building - these were never treated with horizontal timber cladding. There was doubt as to what was being proposed between the windows - hence the condition to ensure consistency with the vertical cladding. '</p>
Environmental And Community Protection (DBC)	<p>Noise and Qir Quality</p> <p>No objection in principle to the application or further comment.</p> <p>Contaminated Land (19.2.21)</p> <p>Having reviewed the planning application I am able to confirm that there</p>

is no objection to the proposed development, but that it will be necessary for the developer to demonstrate that the potential for land contamination to affect the proposed development has been considered and where it is present will be remediated.

This is considered necessary because the proposal will result in a more sensitive end use, and as such the possibility of ground contamination cannot be ruled out at this stage. This combined with the vulnerability of the proposed residential end use to the presence of any contamination means that the following planning conditions should be included if permission is granted.

Contaminated Land Conditions:

Condition 1:

(a) No development approved by this permission shall be commenced prior to the submission to, and agreement of the Local Planning Authority of a written preliminary environmental risk assessment (Phase I) report containing a Conceptual Site Model that indicates sources, pathways and receptors. It should identify the current and past land uses of this site (and adjacent sites) with view to determining the presence of contamination likely to be harmful to human health and the built and natural environment.

(b) If the Local Planning Authority is of the opinion that the report which discharges condition (a), above, indicates a reasonable likelihood of harmful contamination then no development approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes:

(i) A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;

(ii) The results from the application of an appropriate risk assessment methodology.

(c) No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method Statement report; if required as a result of (b), above; has been submitted to and approved by the Local Planning Authority.

(d) This site shall not be occupied, or brought into use, until:

(i) All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (c) above have been fully completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.

(ii) A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local

	<p>Planning Authority.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.</p> <p>Condition 2: Any contamination, other than that reported by virtue of Condition 1 encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically possible; a scheme to render this contamination harmless shall be submitted to and agreed by, the Local Planning Authority and subsequently fully implemented prior to the occupation of this site. Works shall be temporarily suspended, unless otherwise agreed in writing during this process because the safe development and secure occupancy of the site lies with the developer.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.</p> <p>Informative: The above conditions are considered to be in line with paragraphs 170 (e) &amp; (f) and 178 and 179 of the NPPF 2019.</p> <p>The Environmental Health Team has a web-page that aims to provide advice to potential developers, which includes a copy of a Planning Advice Note on "Development on Potentially Contaminated Land and/or for a Sensitive Land Use" in use across Hertfordshire and Bedfordshire. This can be found on <a href="http://www.dacorum.gov.uk">www.dacorum.gov.uk</a> by searching for contaminated land and I would be grateful if this fact could be passed on to the developers.</p>
Parish/Town Council	<p>Flaunden Parish Council recommend refusal of this latest application. When the original application 20/0089/FUL was granted it was a condition that the existing tree screen would remain.</p> <p>It appears from the submitted plans that the outline in red is the proposed boundary of Barn A. This boundary is different from that agreed in the previous granted permission and is a further encroachment into the Green Belt. The result is an extension of the area allocated to the west of Barn A which covers the track and some of the adjacent equestrian paddock. This track is used as access from the stables to the lower fields and horses are led along this path on a regular basis.</p> <p>It is important to note that the roof has been raised by 1.6m and it has significantly more fenestration, a front door and domestic lighting particularly on the western elevation --these were not shown on the</p>

	<p>original plan. This makes it a much more imposing structure in the Green Belt and the Conservation Area.</p> <p>The trees that are currently there are clearly, based on the earlier refusal, deemed to be safe and healthy. They are mature trees with proportional spans and provide an effective, vegetative screen to the converted barn. The property was converted with the full knowledge of the vegetation in place and the screen was deemed necessary at that time and it remains so. It is important for the landscape in the Green Belt and the Flaunden Conservation Area.</p>
Thames Water	<p>Waste Comments</p> <p>With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <a href="https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services">https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services</a></p> <p>Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer network.</p> <p>Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The developer should liaise with the LLFA to agree an appropriate sustainable surface water strategy following the sequential approach before considering connection to the public sewer network. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer network.</p> <p>Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.</p> <p>Water Comments</p> <p>With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is -</p>

	<p>Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.</p> <p>The applicant is advised that their development boundary falls within a Source Protection Zone for groundwater abstraction. These zones may be at particular risk from polluting activities on or below the land surface. To prevent pollution, the Environment Agency and Thames Water (or other local water undertaker) will use a tiered, risk-based approach to regulate activities that may impact groundwater resources. The applicant is encouraged to read the Environment Agency's approach to groundwater protection (available at <a href="https://www.gov.uk/government/publications/groundwater-protection-position-statements">https://www.gov.uk/government/publications/groundwater-protection-position-statements</a>) and may wish to discuss the implication for their development with a suitably qualified environmental consultant.</p>
Hertfordshire Highways (HCC)	<p>The proposals is for the raising of roof, Change of roof pitch, Conversion of barn to residential use and changes to fenestration. Repositioning of tree planting screen at Barn A, Birch Lane, Flaunden. I would note that the general area of this application and the private route that serves properties around this site has had extensive planning permission in the past 5 years. This is an interim response for this application as I have concerns that a fire appliance cannot manoeuvre on site to enter and exit the site in forward gear in case of an emergency. Within drawing A 47499 02E it illustrates that on the proposed site plan the hardstanding will be reduced which concerns me regarding the turning of large vehicles such as a fire appliance. I would also note that I have concerns regarding the narrowest point leading to the site on the private route. This must be in excess of 3.1 metres to enable a fire appliance to move through freely, this is not clear from the drawings.</p> <p>Therefore, HCC would like to see the following before a recommendation can be made ;</p> <ol style="list-style-type: none"> <li>1) Swept path analysis to ensure large emergency vehicles (fire appliance) can reach the dwelling and manoeuvre on site to exit and enter the highway in forward gear.</li> <li>2) To illustrate the width of the private route at its narrowest to the dwelling to ensure it is above the 3.1 metres required.</li> </ol> <p>This is to ensure that the dwelling is safe in case of an emergency</p>
Trees & Woodlands	<p>notes from meeting with Luke Johnson on 7.5.21</p> <p>The existing vegetation suffers from severe decay and has significant defects.</p> <p>Provision of a screen of Hornbeam vegetation of a similar height to the existing would be an improvement to the existing situation.</p>
Environmental And Community Protection	<p>Yes happy with this Condition.</p>



(DBC)	<p>All remediation or protection measures identified in the Remediation Statement referred to in Condition (4) of planning application 4/01658/16/FUL shall be fully implemented within the timescales and by the deadlines as set out in the Remediation Statement and a Site Completion Report shall be submitted to and approved in writing by the local planning authority prior to the first occupation of any part of the development hereby permitted.</p> <p>For the purposes of this condition a Site Completion Report shall record all the investigation and remedial or protection actions carried out. It shall detail all conclusions and actions taken at each stage of the works including validation work. It shall contain quality assurance and validation results providing evidence that the site has been remediated to a standard suitable for the approved use.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development.</p>
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## APPENDIX B: NEIGHBOUR RESPONSES

### Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
33	6	1	5	0

### Neighbour Responses

Address	Comments
Copse Cottage 96-97 Flaunden Flaunden Hemel Hempstead Hertfordshire HP3 0PP	<p>We would like to object to this application on the grounds that this has become a much larger and more imposing building on the sky line than the original planning application granted. The present row of trees has been there for many years and were already there when the original building application was made and so the impact of the trees on the building should have been taken into consideration then, and it not to be assumed if they became inconvenient that they could be cut down.</p> <p>The present row of trees provides screening of Barn A and maintain the natural character of this part of the Conservation Area. Any new replacement trees would not provide anywhere near the same level of screening to what is now a very imposing residential building.</p>
The Old Chapel Birch Lane Flaunden Hemel Hempstead Hertfordshire HP3 0PT	<p>As much as I understand that the owner of Flaunden Stables files new applications as the project moves forward - it would be nice to fully understand what the final development of the whole property is supposed to look like.</p> <p>Are we going to deal with further applications for the next few years, until the whole hill looks different?</p>

	<p>I object to this specific application: I don't feel like old, high and beautiful trees should be taken down. Particularly as they hide the new building, which is almost 2m higher than the previous barn.</p> <p>New trees would be low and would have to grow for many years to provide privacy. I guess that is one of the reasons, a similar request was rejected already.</p>
<p>Birch Lane House Birch Lane Flaunden Hemel Hempstead Hertfordshire HP3 0PT</p>	<p>With regard to the latest planning application Ref: 21/00365/FUL to remove the trees next to Barn A.</p> <p>Attached below are my previous comments submitted for the earlier application to remove this tree line Ref: 20/03219/DRC which remain valid.</p> <p>In addition I would also like to make the following comments specifically relating to this latest application.</p> <p>The previous application was refused for the following reason:</p> <p>'The soft landscaping details submitted (loss of mixed species hedgerow along the western side of the barn conversion with no suitable replacement) will result in the loss of the vegetative screen along this side of the converted barn and cause harm to the character of the Conservation area and the local countryside.'</p> <p>This remains the case for this latest proposal, which differs from the earlier one simply in the fact that is now proposing 12-14cm stem hornbeam trees rather than 6m Leylandii. The trees that are currently there are clearly, based on the earlier refusal, deemed to be safe and healthy. They are also around 30 to 50 years old and stand to a height of 15-20 metres with proportional spans (see attached picture), providing an effective vegetative screen to the converted barn as well as forming an integral part of the natural landscape in this Conservation and Greenbelt area of the countryside. This is why they have always been seen as an important part of all of the earlier planning approvals and have been specifically protected as a condition of the planning permission granted (Ref 20/00089/FUL - Condition 8). The replacement of these very mature trees with immature hornbeams will provide virtually no effective screening, the trees when planted will be thin and wispy at around 3m tall and typically even after 20 years Hornbeam would be expected reach 7m x 4m, less than half the size of the existing trees.</p> <p>It is also important to restate a point made earlier, namely that the barn has also been raised 1.6m taller than the original simple barn that was there previously. It also has significantly more fenestration, particularly on the western elevation which also has a front door and associated domestic lighting which was not in the original plans approved. All of this has been done knowing the existing protected trees would conflict with these design changes. It is now a much more imposing structure on the landscape than was there historically the case, which, if coupled with removing the existing trees, will conflict greatly with the intent of</p>

the original planning granted which stressed the need for a sympathetic conversion in keeping with the existing building and with limited impact on the surrounding countryside. The importance of this was further endorsed by the other reason given for the recent refusal (Ref: 20/03219/DRC) which deemed horizontal timber cladding to be unacceptable as it would 'cause harm to the character of the Flaunden Conservation area and local countryside'. Taking out these mature trees, which will effectively amplify the impact of this now substantially larger residential dwelling, clearly visible from the road, surrounding countryside and neighbouring properties, with virtually no effective screening, will do far greater harm to the character of the Flaunden Conservation area and local countryside.

I would finally also like to again stress that these trees were there long before the domestic dwelling and that conversion of the building commenced knowing they were a condition of the planning granted and protected as such. The fact that they are now deemed inconvenient to the new dwelling is not in itself a reason for them to be removed.

I would therefore strongly ask that you again refuse this application.

Previous objection:

I have seen a formal application has now been registered to cut down the trees on the west boundary of Barn A.

When I was first notified of the developer's plans to do this in July, I contacted both you and Philip Stanley highlighting my concerns and action was taken to stop this process.

Having read this latest application and the attached report from Paul Empson, a local tree contractor, I would like to make the following comments.

The report and application place great emphasis on the fact that this tree line is a hedge that has been maintained as a hedge in the past. The report specifically states;

'The hedge has in the past been maintained at a height of approx. 1.2m this is evident by the growth patterns of the stems. The majority of the stems are all suffering from signs of decay at around 1.2m due to past pruning cuts.'

This is not an accurate statement, these are clearly trees and not a hedge as evidenced by the pictures attached. Additionally, we have lived in the adjoining property that overlooks this boundary for 30 years and never in that time has this treelike been maintained as a 1.2 metre hedge.

Given this, the statement within the report that 'As is normal with rural hedges this damage was more than likely inflicted by mechanical hedge maintenance prior to the hedge being allowed to become overgrown.' is also misleading.

	<p>This tree line was specifically formed part of the original planning application granted that specified that it was to be maintained as part of the landscaping to minimise the impact on the Green Belt and the natural surroundings of this development and the impact on surrounding properties.</p> <p>This tree line is very much in keeping with the local environment in and around Flaunden, where indigenous trees and hedgerows are an important part of the natural Green Belt. Pictures of the immediate local around the Flaunden House Stables development are attached demonstrating this. The suggestion that 6m Leylandii could be used for screening as an alternative also demonstrates little empathy in maintaining the natural character of the development and minimising the impact on the Green Belt, both of which were important requirements when the planning application for this rural barn conversion development was granted.</p> <p>From a personal viewpoint, this tree line is very important in maintaining the natural screening of the new property, as it did with the original barn, and ensuring that this development is in keeping with the rural Green Belt aspect of the surrounding landscape.</p> <p>The claim that these trees form a risk due to the proximity to the property is also questionable. They have never been perceived as a risk prior to now, and have traditionally been sited next to the original, well used commercial stable. They have also for 30 years plus, had a walkway frequently used each day, to lead horses to the adjoining fields immediately next to them. In this time no safety issues have resulted from these trees. This pathway and the entire construction of the new properties has also taken place with the safety of the trees not having been brought into question until July 2020, at the end of the construction. I understood, when we last spoke that you would be contacting an Arboriculturist within Dacorum to provide an independent professional assessment.</p> <p>In conclusion, the trees have formed part of the natural landscape long before these houses were built. Whilst their close proximity is an inconvenience to the developer, this does not provide a valid reason to fell them. Their presence was rightly deemed an important part of the initial planning application granted and should remain so. As such I object to this latest application which should be rejected and the protection currently afforded to these trees maintained.</p>
<p>103 Flaunden          Flaunden          Hemel Hempstead          Hertfordshire          HP3 0PW</p>	<p>Within the following document:  <a href="https://planning.dacorum.gov.uk/publicaccess/files/D6CEEA334F2C04638DCAC7C2F87BB073/pdf/21_00365_FUL-TREE_REPORT-1154231.pdf">https://planning.dacorum.gov.uk/publicaccess/files/D6CEEA334F2C04638DCAC7C2F87BB073/pdf/21_00365_FUL-TREE_REPORT-1154231.pdf</a></p> <p>Paul Empson Tree Care makes the following recommendation:          "To provide an instant screen I would recommend the use of mature Leylandii up to a height of 6m. These should be planted using a trench system and provided with adequate irrigation and support."</p> <p>If the proposed planting is going to affect other residents it will directly contravene the Anti-Social Behaviour Act 2003 that is detailed on the</p>

	<p>council website here:  <a href="http://www.dacorum.gov.uk/home/environment-street-care/environmental-health/high-hedges">http://www.dacorum.gov.uk/home/environment-street-care/environmental-health/high-hedges</a></p> <p>There is an example of such a contravention on the southern perimeter of the applicants plot. Please do not let this be precedent for another breach.</p>
<p>Flaunden House  Flaunden  Flaunden  Hemel Hempstead  Hertfordshire  HP3 0PW</p>	<p>I wish to object to planning application Ref: 21/00365/FUL relating to Barn A.</p> <p>With particular reference to the proposed removal/replacement of trees to the west of Barn A, these are currently mature trees (not 'hedgerow' as per the tree report) that have been there for well over 30 years and definitely pre-date the barn.</p> <p>They provide a vital screen and are an important part of earlier planning approvals, namely condition 8 of 20/00089/FUL. It is totally inappropriate to consider replacing these trees - which are at least 15 m high, and need to be so - with 3 m hornbeam trees, which would only grow to about 7 m after some years.</p> <p>This is particularly important as the barn roof is 1.6 m higher than originally planned and there is more fenestration than on the original plans, especially on the western elevation where there is now a front door and lighting. The original planning approval stressed the need for the conversion to be in keeping with the existing building with minimal impact on the surrounding area. I sincerely hope that this will be adhered to.</p> <p>I therefore urge you to refuse this application.</p>
<p>Lavender Cottage  101-102 Flaunden  Flaunden Hemel  Hempstead  Hertfordshire  HP3 0PW</p>	<p>21/00365/FUL BARN A, FLAUNDEN STABLES</p> <p>I wish to comment on the above application, with particular respect to the proposed removal and replanting of the line of trees to the west of the property.</p> <p>The plan outlines in red the proposed boundary of Barn 1 - this boundary is a change from that agreed in previous planning approvals and results in an extension of the area allocated to the west of Barn 1, which covers the track and some of the adjacent equestrian paddock.</p> <p>At present the track through this area is used as access from the stables to the lower fields and horses are led along this path on a regular basis. The plans do not show any re-routing of this track, but it would follow that a re-routing of the track would be necessary if the proposed plan was approved. I assume the area created in this proposal would be used as a garden to Barn A, therefore constituting a change of use for this land.</p> <p>The present row of trees (which appear to be mature trees of more than 30 years growth and not 'hedging' as described in the application), provide screening of Barn A and maintain the natural character of this part of the Conservation Area. Any new replacement trees would not provide anywhere near the same level of screening to what is now a very imposing residential building.</p>

