

ITEM NUMBER: 5c

21/04277/FUL	Demolition of existing outbuilding and construction of new 4 bedroom dwelling, with new access and associated works.	
Site Address:	Land Adjacent To Finch Cottage Tower Hill Chipperfield Kings Langley Hertfordshire	
Applicant/Agent:	Mr Paul Johnson	Mr Ian Hubbarde
Case Officer:	Daniel Terry	
Parish/Ward:	Chipperfield Parish Council	Bovingdon/ Flaunden/ Chipperfield
Referral to Committee:	The Parish Council has provided a contrary view to the officer recommendation	

1. RECOMMENDATION

- 1.1 That planning permission be **GRANTED**, subject to conditions.

2. SUMMARY

- 2.1 The proposal seeks to replace an existing ancillary residential building which is an acceptable form of development in the Green Belt. The proposed dwelling would be acceptable in visual terms and so the proposal accords with policies CS5, CS6, CS11 and CS12 of the Core Strategy.
- 2.2 The proposals would result in some increased overlooking of the rear garden of Finch Cottage however this would not be considered to result in unreasonable harm, given the typical relationship between properties in this part of Chipperfield. The proposal would therefore comply with policy CS12 of the Core Strategy.
- 2.3 The proposal would benefit from 3 on-site parking spaces and therefore complies with policy CS12 of the Core Strategy and the Council's Parking Standards SPD.

3. SITE DESCRIPTION

- 3.1 The application site lies to the north of Tenements Farm Lane (Chipperfield 012) and comprises of an existing building being used for domestic storage purposes. The planning history suggests that this building may have had an agricultural use in the past, being described as a dairy building in previous case officer reports, although it has been in residential use at least since 2014.
- 3.2 The site lies within the Metropolitan Green Belt and although it is not located within the Chipperfield Conservation Area, this designation does adjoin the site along the southern boundary and along part of the western boundary.
- 3.3 To the east of the site is Finch Cottage which benefits from its own access and at the time of the site visit was undergoing building works, likely to be in connection with a recent grant of planning permission.

4. PROPOSAL

- 4.1 Full planning permission is sought for the demolition of the existing building and for the erection of a two storey 4-bed dwelling. The dwelling would have a similar positioning to the existing building on site, although it would be brought in away from the flank boundaries and would see built form pushed out northwards towards the rear garden instead.

4.2 Parking for at least 3 vehicles would be provided at the front of the site.

5. PLANNING HISTORY

Planning Applications (If Any):

Application building:

4/03154/17/FUL - Conversion of outbuilding to dwelling and creation of a new access
Granted - 1st February 2018

4/03227/14/FUL - Conversion of outbuilding to dwelling and creation of a new access
Granted - 29th December 2014

Finch Cottage:

20/03841/FHA - Demolition of the existing conservatory, construction of new rear and side extensions at ground floor level, rear extension at first floor level, new bay window to the front elevation, reconfiguration of windows at side and rear of house, works to existing side porch.
Granted - 15th February 2021

4/00199/90/FUL - Erection of conservatory
Granted - 27th March 1990

Appeals (If Any): None.

6. CONSTRAINTS

CIL Zone: CIL2

Former Land Use (Risk Zone):

Green Belt: Policy: CS5

Heathrow Safeguarding Zone: LHR Wind Turbine

Parish: Chipperfield CP

RAF Halton and Chenies Zone: Red (10.7m)

RAF Halton and Chenies Zone: Green (15.2m)

Parking Standards: New Zone 3

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
CS1 - Distribution of Development
CS5 - Green Belt
CS6 - Selected Small Villages in the Green Belt
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS27 - Quality of the Historic Environment
CS29 - Sustainable Design and Construction

Supplementary Planning Guidance/Documents:

Parking Standards SPD (2020)
Roads in Hertfordshire, Highway Design Guide 3rd Edition (2011)
Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice (2011)
Chipperfield Village Design Statement (2001)
Chipperfield Conservation Area Character Appraisal & Management Proposals (2009)

9. CONSIDERATIONS

Main Issues

9.1 The main issues to consider are:

The policy and principle justification for the proposal;
The impact on the openness of the Green Belt;
The quality of design and impact on visual amenity;
The impact on designated heritage assets;
The impact on residential amenity; and
The impact on highway safety and car parking.

Principle of Development

- 9.2 The application site lies within the Metropolitan Green Belt wherein policy CS5 of the Core Strategy states that the Council will apply national Green Belt policy to protect the openness and character of the Green Belt, local distinctiveness and the physical separation of settlements. It does however state that small-scale development will be permitted, for example, for the replacement of existing buildings for the same use.
- 9.3 The above is further supplemented by policy CS6 which further adds that, within Chipperfield, proposals for the replacement of existing buildings would be acceptable, provided that it is sympathetic to its surroundings, including the adjoining countryside, in terms of local character, design, scale, landscaping and visual impact; and that it retains and protects features essential to the character and appearance of the village.
- 9.4 The above local policies are considered to be consistent with the language of the NPPF, which states in paragraph 149 that local planning authorities should regard the construction of new buildings as inappropriate in the Green Belt. There are however a list of exceptions to inappropriate development and this includes d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.

- 9.5 The submission makes reference to several other exceptions to inappropriate development in the Green Belt, however a scheme need only comply with that most relevant to the assessment of the application. The site has benefitted from two previous planning permissions (now time expired) for the conversion of the existing building into a residential dwelling. As part of both the 2014 and 2017 applications, the case officer was satisfied that the building was in an appropriate residential use, being an ancillary residential storage purpose. In light of this, it would be difficult for the LPA to argue that the building is now in an alternative use. As such, the proposal relates to the replacement of a building that is in the same use and is therefore acceptable in principle. The development accords with policies CS5 and CS6 of the Core Strategy and accords with the NPPF in this regard.
- 9.6 The proposal therefore turns on whether the proposed building is 'materially larger' than the one it replaces. The NPPF does not define what is meant by 'materially larger' and as such, cases must be assessed on their own individual merits. The submission sets out that there would be a reduction in footprint of around 15% as the building has been brought in from the flank boundaries, although it has been extended backwards in turn. This is on the basis that the existing building has a footprint of 112sqm and the proposed building would have a footprint of 97sqm.
- 9.7 Whilst it is acknowledged that there would be a reduction in footprint, there would be an increase in floor area of around 57% overall as a result of a first floor level being created, therefore increasing from 112sqm to 194sqm. Whilst this is not an insignificant increase in floorspace terms, it is noted that the dwelling would be of a size consistent with other dwellings locally, including those on Tower Hill and Tenements Farm Lane. The eaves and ridge height of the dwelling have been kept low to reduce the massing and bulk of the dwelling. This equates to an increase in height from 4.65m to 6.98m. Moreover the dwelling would be sited within a particularly large plot, meaning that the new dwelling would not appear cramped or an overdevelopment of the site. Conversely, the existing building being single storey makes it an anomaly for the area, in which two storey built form is prevalent.
- 9.8 Whilst the increase in floorspace is noted, this is only one measure of impact to Green Belt openness. In applying policy CS6 of the Core Strategy, it is apparent that the proposal would assimilate well with its surroundings, and would respect the positioning of built form along Tenements Farm Lane as well as the scale, height etc. of neighbouring built form. It is not considered that the proposed dwelling would be 'materially larger' than the building it replaces for the above reasons. Nonetheless, it would seem appropriate to remove permitted development rights for extensions and outbuildings, in order to ensure that the LPA can enact careful control over any further development of the site and to preserve the amenity of neighbouring properties, which is further discussed below in this report.

Impact on the openness of the Green Belt

- 9.9 As the proposal is acceptable in principle, some Inspectors in recent appeal decisions have found that schemes would subsequently be considered to preserve openness. However, it should be recognised that there are both spatial and visual aspects to Green Belt openness. By virtue of the increased height, there will inevitably be some greater visual impact, for example from Tenements Farm Lane. However for the reasons set out above, the proposal would be acceptable as it respects neighbouring built form in terms of layout, positioning, height and scale. Moreover, the application site is surrounded by residential properties to three sides and is not located in a sensitive settlement edge location. As such, the impacts of the development would not be seen from the wider countryside.
- 9.10 In light of the above, it is not considered that the proposals would materially harm the openness of the Green Belt. The development would be contained within the existing boundaries of the site and development here would not prejudice the wider Green Belt land

designation. The proposals would not result in unrestricted sprawl and would not conflict with the aims and purposes of the Green Belt set out in the Framework.

Quality of Design / Impact on Visual Amenity

- 9.11 Policies CS11 and CS12 of the Core Strategy state that development should respect the typical density intended in an area and enhance spaces between buildings and general character; preserve attractive streetscapes and enhance any positive linkages between character areas; avoid large areas dominated by car parking; retain important trees or replace them with suitable species if their loss is justified; plant trees and shrubs to help assimilate development and softly screen settlement edges; integrate with the streetscape character; and respect adjoining properties in terms of layout, security, site coverage, scale, height, bulk, materials and landscaping and amenity space.
- 9.12 The Chipperfield Village Design Statement (2001) provides a number of design guidelines relating to the scale, design, height, use of materials etc. which should be adhered to for development in the village. This includes that proposals should avoid a deep floor plan in order to reduce the bulk of the roof and that buildings should be designed in such a way as to reduce the appearance of the bulk and to fit into their site and surroundings.
- 9.13 As already set out in the above section of the report, the proposed dwelling would be considered to respect adjacent built form, including following the established building line along Tenements Farm Lane. Whilst the building would be larger than that which it replaces, it would not be of a scale or height that would look out of character in the streetscene. Similarly, the use of a lowered eaves height as shown on the plans, ensures that the dwelling does not appear unduly bulky at roof level. The track at the front of the property is also a public right of way (Chipperfield 012). This means that the dwelling would be visible to any passers-by and users of the PROW. However for the reasons set out in this report, the dwelling would have an acceptable appearance and be set back from the PROW in line with existing built form along this row.
- 9.14 The Council's Conservation and Design Officer has suggested that there are some potential improvements to the design, such as a much lowered eaves height or alternative window treatments to give the appearance of a converted farm building. However, local planning authorities cannot design schemes on behalf of applicants and instead, must assess planning proposals as they have been submitted. Therefore, it does not appear that there are sufficient grounds to refuse the application nor are there grounds to insist that any future development of the site have the appearance of a conversion, as in any case, this application seeks a replacement building. As set out in the submission, the purpose for rebuilding is to increase the amount of useable space.
- 9.15 With regard to the proposed materials, the plans suggest that the ground floor level would comprise of facing brickwork; the first floor level of the elevations would be rendered in a cream colour; the roof would comprise of slate; the front door made of timber; the windows and patio doors of aluminium; and the gutters and downpipes would comprise of black coloured PVC. The submission is unclear on the colour of the brickwork and so details of this would need to be secured by condition. The use of render would be acceptable as this is commonly used along Tower Hill. Whilst the proposed cream colour is not necessarily the same as the common white colour found along Tower Hill, the site is not within the Conservation Area and therefore this would be acceptable in this instance. Similarly, the use of slate is uncommon but again, would be acceptable in this instance. Details of the slate should also be sought via a planning condition.
- 9.16 As noted by the neighbours, a significant amount of vegetation has been removed from the site, so the current situation on site is not as shown in the submitted design and access

statement. Further concerns have been raised with the removal of trees and the likely removal of further trees to the northern end of the site, where the trees have been damaged near the base of their trunks. Whilst the loss of vegetation at this site is unfortunate, there are no Tree Preservation Orders in place and the vegetation was not located within the Conservation Area. As such the applicant could lawfully remove this vegetation without requiring any form of consent. As for this current application however, it is now more apparent that the dwelling would be seen from the rear gardens of properties in Tower Hill. As part of any grant of planning permission, it would be appropriate to impose a planning condition requiring details of the hard and soft landscaping to be submitted to the LPA. As part of any landscaping scheme, the LPA would expect to see a reasonable amount of new soft planting, commensurate with the scale of development proposed. It should also be noted that new tree planting is required under policy CS29.

- 9.17 Whilst the front of the site would largely be given over to car parking and turning space, this is typical for this part of Chipperfield, particularly along Tower Hill where opportunities for on-street parking are limited. Similarly, along Tenements Farm Lane on-street parking would be difficult given the predominantly single car width of the track. As such, it appears appropriate to provide sufficient parking and turning space at the front of the dwelling in this instance.
- 9.18 The proposal is therefore considered to be acceptable in design and visual terms, subject to conditions, and therefore accords with policies CS11 and CS12 of the Core Strategy, and adheres to the guidance and principles of the NPPF and the Chipperfield Village Design Statement.

Impact on Designated Heritage Assets

- 9.19 Policy CS27 of the Core Strategy states that all development will favour the conservation of heritage assets. The integrity, setting and distinctiveness of designated and undesignated heritage assets will be protected, conserved and if appropriate enhanced. Paragraph 199 of the NPPF requires local planning authorities to give great weight to the asset's conservation and the more important the asset, the greater this weight should be. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 9.20 Saved Policies 119 and 120 of the Dacorum Borough Local Plan state that every effort will be made to ensure that any new development liable to affect the character of an adjacent listed building will be of such a scale and appearance, and will make use of such materials, as will retain the character and setting of the listed building; and new developments or 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.
- 9.21 It is however recognised the Saved Policies 119 and 120 are not entirely consistent with the language of the NPPF as they do not go on to identify the level of harm and the fact that this would need to be weighed against the public benefits of a scheme. These policies are otherwise considered to be consistent with the aims of national policy and can be given significant weight in decision making.
- 9.22 Sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990 places a statutory duty on local authorities to have special regard to the desirability of preserving listed buildings, their setting, or any features of special architectural or historic interest which it possesses, as well as to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

- 9.23 The application site lies outside of, but adjacent to, the Chipperfield Conservation Area and the site also lies adjacent to two listed buildings which front Tower Hill, which are No.1 Tower Hill and Mulberry Cottage (No.3 Tower Hill), as well as The Paddock public house (formerly The Boot) which is also within the vicinity of the site. The significance of the two dwellings in heritage terms appears to lie in their architecture, design and detailing. This includes the use of orange bricks, hanging tiles to the upper parts of the elevations and detailing to the gable roof elements, as well as their use of grand chimney stacks. Part of their significance also appears to rest in their positioning and proximity to the highway, with No.1 Tower Hill being in a prominent corner position with well-tended gardens. The historic significance of the pub appears to comprise of its design, appearance and materiality, but most likely in its historic use as a public house and positioning within the settlement.
- 9.24 As set out above in this report, a large portion of vegetation that previously existed at the front of the site has since been removed. This means that the front of the site and the proposed dwelling would be more visible from Tower Hill than would have previously been the case. This is because the access track known as Tenements Farm Lane lies adjacent to a gap to the north of The Paddock leading to its car park, which therefore creates a sizeable gap and allows for views towards the application site. Notwithstanding this, Mulberry Cottage benefits from a fairly substantial outbuilding at the rear of its plot which would go some way towards disguising the dwelling from Tower Hill and the building would only therefore be visible from glimpsed views when travelling along Tower Hill. As such the dwelling would not be considered unduly prominent and it is also important to note that the new dwelling would be viewed in the context of surrounding built form, including Finch Cottage.
- 9.25 Therefore, having regard to the above identified heritage significance, it is not considered that the proposal would adversely affect the setting of any listed building nor would it impact upon their significance.
- 9.26 With more specific regard to the Conservation Area, the proposals would, as set out above, respect the typical layout, height and use of materials used locally, including properties within the adjoining Chipperfield Conservation Area. It is also noted that the Conservation and Design Officer has raised no objections in this regard, nor to the demolition of the existing building. The proposals would therefore be considered to respect the site, streetscene and local area and as such, would not result in material harm to the character or appearance of the adjacent Conservation Area. The proposal is considered to comply with policy CS27 of the Core Strategy, saved policies 119 and 120 of the DBLP and complies with the Framework in this regard.
- 9.27 Given that no harm has been identified, it is not necessary to consider whether there are public benefits to outweigh the level of harm. However should this be required, then public benefits would exist, in economic terms, from the construction of the development itself and the subsequent occupation of the dwelling, whose occupiers would contribute towards the local economy, such as through paying council tax or by using local services and facilities, such as supermarkets etc. The proposals would also make a modest addition to the Borough's housing supply which is a benefit to be attributed significant weight in decision making.

Impact on Residential Amenity

- 9.28 Policy CS12 of the Core Strategy states that development should provide a safe and satisfactory means of access for all users; and avoid visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to the surrounding properties. Paragraph 130 of the NPPF adds that proposals should create places that are safe, inclusive and accessible and

which promote health and well-being, with a high standard of amenity for existing and future users.

- 9.29 Concerns have been raised by the neighbour at Finch Cottage that the proposal, by virtue of its height, scale, massing and bulk, would result in an overbearing impact and loss of privacy to that neighbour. Firstly with regard to the physical built form itself, the plans indicate that the new dwelling would be around 12.5m away from the side elevation of Finch Cottage. This distance for a side-to-side relationship is acceptable and is consistent with spacing between dwellings found along Tenements Farm Lane. Finch Cottage benefits from a gap on their side of the shared boundary of around 9.6m, which is predominantly used for car parking. The plans approved as part of a recent extension for Finch Cottage (ref: 20/03841/FHA) show that this neighbour benefits from a number of openings to its western flank elevation, which serve a boot room/utility and entrance porch. A new kitchen window is included as part of the approved extension to this neighbour, although this is set much farther away from the shared boundary and is a secondary window. At first floor level, Finch Cottage benefits from a bathroom window above the entrance, which is not a habitable room. Similar to the kitchen window, there is a bedroom window within the rear extension which faces the application site, but this is set much farther away from the shared boundary. As with the kitchen, this bedroom also benefits from a second window facing the rear garden of Finch Cottage. Taking all of the above into account, it is not therefore considered that the proposal would unreasonably affect this western elevation of the neighbouring property nor would the driveway or parking areas be unreasonably affected, given their use is not the primary enjoyment of Finch Cottage.
- 9.30 With regard to the potential for overlooking, it is inevitable that any first floor windows in the rear elevation would increase overlooking of Finch Cottage's rear garden. However the positioning of the proposed dwelling would mean that any views of Finch Cottage's garden would predominantly be towards the end. As such Finch Cottage would retain a reasonable amount of private amenity space in closer proximity to their rear elevation. Again the relationship between the proposed dwelling and Finch Cottage is not uncommon with those along Tenements Farm Lane or Tower Hill. As such, it is concluded that the proposals would not result in unreasonable harm to Finch Cottage.
- 9.31 The proposal includes a first floor window in each of the side elevations. In both cases these windows would serve bathrooms and as such, to prevent overlooking it is considered appropriate to condition these windows to be obscure glazed. This would preserve the privacy of Finch Cottage, Mulberry Cottage and No.5 Tower Hill in this regard. As set out above, it is considered appropriate to remove permitted development rights for extensions and outbuilding to preserve Green Belt openness, however this would also be in the interests of preserving the residential amenity of adjoining properties.
- 9.32 The proposed dwelling would be located around 31m away from the rear elevation of Mulberry Cottage. As set out above in this report, this neighbour benefits from a fairly substantial outbuilding towards the shared boundary with the application site. This would go some way towards disguising the new dwelling from this neighbour's garden. The new dwelling would also be located around 26.5m away from the nearest part of No.5 Tower Hill, being their rear conservatory. Given the lengths of gardens in Tower Hill, it is considered that these separation distances are sufficient to ensure no unreasonable harm would occur. Distances exceeding 26.5m between a rear elevation and side elevation are typically considered an acceptable relationship. As noted above, the side facing window at first floor level would be obscure glazed by condition. The new dwelling would be separated from the neighbour to the north, Clovelly (New Road), by some 58m and it is not therefore considered that any unreasonable harm would occur to that neighbour.

- 9.33 Concerns have also been raised with the potential for overlooking of properties in Tower Hill, namely No.7, No.9 and No.11, as a result of the proposed windows in the rear elevations. It is acknowledged that there would be some increased overlooking of the ends of these gardens, however this would not be considered significant given that these gardens are already somewhat overlooked by their adjoining neighbours in any case. Views of the rear elevations of these neighbouring properties in Tower Hill would be at an oblique angle and the proposal would not therefore result in direct overlooking of windows. Similarly, concerns have been raised with the potential for the dwelling to overshadow these neighbours, however this would only occur at the very start of the day due to the positioning of the dwelling in relation to the orientation of the sun. The dwelling would be set away from the boundary and therefore any early morning overshadowing would only likely occur to the ends of these gardens.
- 9.34 As set out above and shown on the plans, the dwelling would follow the existing building line along Tenements Farm Lane and the garden depth would be consistent with those neighbouring properties. The plot size, and subsequently the garden size, would be akin to that of Oakleigh House to the north-east, for example. As such, it is considered that the proposal would not unreasonably affect the residential amenity of any neighbouring property.
- 9.35 The Council has not formally adopted the Government's Nationally Described Space Standards, although it does intend to as part of the new emerging Local Plan. These national standards state that four-bed dwellings over 2 storeys should be a minimum of 124sqm in size (GIA). The proposed dwelling would have a floor area of around 194sqm which therefore demonstrates compliance with these national standards. The proposal would therefore be acceptable having regard to the living conditions of the future occupiers of the development and the proposal accords with policy CS12 of the Core Strategy and the NPPF.

Impact on Highway Safety and Parking

- 9.36 Policy CS12 of the Core Strategy and paragraph 110 of the NPPF requires development to provide safe and suitable access for all users. Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 9.37 In this regard the Highway Authority have been consulted who note that Tenements Farm Lane is also a public right of way (Chipperfield 012). This track is not part of the adopted highway network and on that basis, the Highway Authority do not object to an access being provided onto this track. They have however suggested two planning informatives that should be included as part of any grant of planning permission.
- 9.38 With regard to parking, the submitted plans indicate that three spaces would be provided at the front of the site along with sufficient space for turning on site, so that vehicles can exit in a forward gear. The Parking Standards SPD requires dwellings with 4 bedrooms to be provided with three parking spaces and therefore the proposal would comply in this regard.
- 9.39 The SPD also requires all new development to provide an electric charging point for each new dwelling created, to promote the use of electric vehicles. This has not been shown on the plans and therefore should be sought via condition. Subject to this condition, it is therefore considered that the proposal would be acceptable, having regard to the access arrangements and the parking provision. The proposal therefore accords with policy CS12 of the Core Strategy, the Parking Standards SPD and accords with the NPPF.

Other Material Planning Considerations

- 9.40 Thames Water were consulted but no reply has been received. Affinity Water have confirmed that they have no comments to make on the application.
- 9.41 Paragraphs 3.20-3.22 of the submitted Design and Access Statement set out how the proposals will adopt sustainability measures to reduce the impact of the development, including matters such as reducing heat loss and energy consumption. It should also be noted that a new dwelling will likely be more energy efficient compared with the previous schemes to convert the existing building on site. As such, it is considered that the proposal is acceptable in this regard. New tree planting is still required for compliance with policy CS29 of the Core Strategy and this could be secured via the landscaping condition referred to above in this report.

Response to Neighbour Comments

- 9.42 These points have been addressed in the relevant sections of the report above. It is however noted that particular concerns have been raised with the loss of vegetation at the site, which has already taken place, meaning that the new dwelling would be visible from the rear windows and gardens of properties in Tower Hill. As set out above in this report, the loss of vegetation is unfortunate, however it was not protected and therefore could have been lawfully removed in any case. A timber close-boarded fence has been erected to all boundaries and new soft planting can be secured via a planning condition.
- 9.43 The Parish Council have raised concerns with the fact that the applicant has not demonstrated 'Very Special Circumstances' as the site is located within the Green Belt, however as the development is considered acceptable in principle, this is not required. The other concerns relating to the loss of vegetation and the proposed materials have been addressed above in this report.
- 9.44 Concerns have also been raised with the potential 'loss of view', although this is not a material planning consideration. Loss of outlook is a separate matter and is a material planning consideration. This has been addressed above but in short, the separation distances are considered sufficient to ensure no unreasonable loss of outlook would occur.
- 9.45 With regard to bats, this was previously considered under the applications to convert the building, with it being noted that all potential features were fully inspected and no bats or evidence of bat activity were found. Due to lack of suitable features and damp and cold condition inside, this building was deemed to have a negligible bat potential therefore no further survey works were required at that time. In the interests of certainty, it is considered necessary and appropriate to impose a condition requiring an up-to-date survey to be submitted to confirm that this is still the situation on site.

Community Infrastructure Levy (CIL)

- 9.46 The development would be liable for CIL and payment would become due at the time of works commencing on site. The submission suggests that exemptions may apply as this relates to a self-build. This would need to be discussed with the Council's CIL officer prior to works commencing on site. Please refer to the Council's website for further information.

10. CONCLUSION

- 10.1 The proposal seeks to replace an existing building which is in an existing residential ancillary use. The proposed dwelling is not considered to be materially larger than the building it replaces and as such, is acceptable in principle.

- 10.2 In design terms, the dwelling would respond well to its context, with its positioning following the established building line. Similarly the height of the dwelling and use of materials would ensure that the dwelling does not appear unduly prominent in the streetscene. Details of the materials and hard and soft landscaping would be sought via a planning condition.
- 10.3 The proposal would not result in undue harm to neighbouring amenity, although it is acknowledged that there would be some increased overlooking of Finch Cottage's garden to the north. A planning condition would ensure that the bathroom windows at first floor level do not result in overlooking to the north-east or south-west.
- 10.4 The proposals would be acceptable having regard to highway safety and sufficient parking and turning space would be provided on-site in accordance with the Parking Standards SPD.
- 10.5 The proposal would make a modest addition to the Borough's housing supply which is a matter to be attributed significant weight in decision making. Similarly, there would be economic benefits from the construction of the development and subsequent occupation of the dwelling. These are recognised benefits to be considered in weighing the overall merits of the application, in applying paragraph 11d) (ii).

11. RECOMMENDATION

- 11.1 That planning permission be **GRANTED**, subject to conditions.

Condition(s) and Reason(s):

1. **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. **Prior to the demolition (or any roof works) of any of the existing buildings on site, bat survey(s) shall be undertaken by a qualified professional to establish the presence or absence of bats in the internal roof space and submitted to and approved in writing by the Local Planning Authority. Should bats be found, the appropriate mitigation measures and contingency plans shall be implemented in accordance with the approved details.**

Reason: To identify and ensure the survival and protection of important species and those protected by legislation that could be adversely affected by the development, having regard to Policies CS26 and CS29 of the Dacorum Borough Core Strategy and Paragraph 174 of the National Planning Policy Framework (2021).

3. **Notwithstanding the details shown on the plans, no development (excluding demolition/ground investigations) shall take place above slab level until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

Reason: To ensure satisfactory appearance to the development and to safeguard the visual character of the area in accordance with Policies CS11 and CS12 of the Dacorum Borough Core Strategy (2013).

4. **No development shall take place above slab level until full details of both hard and soft landscape works has been submitted to and approved in writing by the Local Planning Authority. These details shall include:**
- o the proposed garden shed;**
 - o**
 - o means of enclosure; and**
 - o soft landscape works including a planting scheme with the number, size, species and position of trees, plants and shrubs.**

The planting must be carried out within one planting season of completing the development.

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 similar species, size and maturity.

Reason: 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).

5. **Prior to occupation of the development hereby approved, full details of the layout and siting of Electric Vehicle Charging Points and any associated infrastructure shall be submitted to and approved in writing by the local planning authority. The development shall not be occupied until these measures have been provided and these measures shall thereafter be retained fully in accordance with the approved details.**

Reason: To ensure that adequate provision is made for the charging of electric vehicles in accordance with Policies CS8, CS12 and CS29 of the Dacorum Borough Core Strategy (2013) and the Car Parking Standards Supplementary Planning Document (2020).

6. **The window(s) at first floor level in the north-eastern and south-western elevations of the dwelling hereby permitted shall be permanently fitted with obscured glass to a minimum of level 3 and non-opening unless the parts of the window that can be opened are a minimum of 1.7m above the finished floor level.**

Reason: In the interests of the residential amenities of the occupants of the adjacent dwellings in accordance with Policy CS12 (c) of the Dacorum Borough Council Core Strategy (2013) and Paragraph 130 (f) of the National Planning Policy Framework (2021).

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

**FP21871/02 (Proposed Plans and Elevations);
FP21871/10A (Proposed Site Layout Plan);
FP21871/21A (Proposed Site Block Plan and Location Plan).**

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

8. **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (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:**

Classes A, B, C and E of Part 1, Schedule 2.

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 Policies CS5, CS6 and CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 130 of the National Planning Policy Framework (2021).

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. Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
3. The Public Right of Way(s) should remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during works. Safe passage past the site should be maintained at all times for the public using this route. The condition of the route should not deteriorate as a result of these works. Any adverse effects to the surface from traffic, machinery or materials (especially overspills of cement & concrete) should be made good by the applicant to the satisfaction of the Highway Authority. No materials shall be stored or left on the Highway including Highway verges. If the above conditions cannot reasonably be achieved, then a Temporary Traffic Regulation Order (TTRO) would be required to close the affected route and divert users for any periods necessary to allow works to proceed, for which a fee would be payable to Hertfordshire County Council. Further information is available via the County Council website at <https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/countryside-access/rightsof-way/rights-of-way.aspx> or by contacting Rights of Way, Hertfordshire County Council on 0300 1234047.

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Parish/Town Council	OBJECT Applicant has not demonstrated 'very special circumstances' for development in the green belt. This site (prior to separation from Finch Cottage site) has been subject to detailed comment from DBC firstly in pre-app 4/00517/13 which considered re-use of the existing building and placed emphasis on the importance of the site being screened by existing trees and shrubs as being essential to protect the local landscape bearing in mind that the western and southern boundaries adjoin the Conservation Area.

	<p>The subsequent planning approval, now lapsed, 4/03227/14 for conversion of existing building into a 3-bed dwelling embedded these recommendations and granted sensitive conversion of the existing structure. Since the recent submission of the subject application all vegetation has been felled from the site and a few retained trees have been 'bark ringed' which will cause the death of these trees. These actions negate the ameliorating circumstances which formed the basis of granting the lapsed planning approval.</p> <p>The proposed design and materials are inappropriate for this fringe of village site in the green belt adjacent to the Conservation area. This scheme, and any amended or replacement scheme, should demonstrate compliance with Chipperfield Village Design Statement and also achieve the support of DBC's Conservation Team.</p>
<p>Conservation & Design (DBC)</p>	<p>The application site lies outside, but immediately adjacent to the boundary of the Chipperfield Conservation Area, at its northernmost point. As such, any impact upon the setting of the conservation area and its significance needs consideration.</p> <p>The application proposes demolition of an existing outbuilding / former farm building and redevelopment of the plot with a 4-bed dwelling. Previously consent was granted for conversion of the existing outbuilding on the site to residential use.</p> <p>The outbuilding has not previously been highlighted as being of any particular architectural merit but it has some character and clearly reads as a former farm / outbuilding, it is of brick construction with metal frame roof covered in a sheet roof. From a review of historic mapping it seems to have been built between 1924 and 1940.</p> <p>The previous scheme to convert the former outbuilding does, in my view, represent a more sympathetic and interesting approach to the re-use of the structure and residential use of the site. If the proposed demolition of the outbuilding and redevelopment of the site is to be supported it is suggested the design of the new dwelling is improved, perhaps with lowered eaves height, steeper roof pitch and different window / external treatment to give the property more of the character of a converted farm building.</p>
<p>Affinity Water - Three Valleys Water PLC</p>	<p>Thank you for forwarding this application. We have reviewed the development and do not have any comments to make.</p>
<p>Hertfordshire Highways (HCC)</p>	<p>Location LAND ADJACENT TO FINCH COTTAGE TOWER HILL</p>

CHIPPERFIELD KINGS LANGLEY WD4 9LN

Application type

Full Application

Proposal

Demolition of existing outbuilding and construction of new 4 bedroom dwelling, with new access and associated works.

Decision

Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.

Highway Informatives

HCC as Highway Authority recommends inclusion of the following Advisory Note (AN) / highway informative to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980:

AN 1) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the County Council website at:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

AN 2) The Public Right of Way(s) should remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during works. Safe passage past the site should be maintained at all times for the public using this route. The condition of the route should not deteriorate as a result of these works. Any adverse effects to the surface from traffic, machinery or materials (especially overflows of cement & concrete) should be made good by the applicant to the satisfaction of the Highway Authority. No materials shall be stored or left on the Highway including Highway verges. If the above conditions cannot reasonably be achieved, then a Temporary Traffic Regulation Order (TTRO) would be required to close the affected route and divert users for any periods necessary to allow works to proceed, for which a fee would be payable to Hertfordshire County Council. Further information is available via the County Council website at

<https://www.hertfordshire.gov.uk/services/recycling-waste-and-environ>

	<p>ment/countryside-access/rightsof-way/rights-of-way.aspx or by contacting Rights of Way, Hertfordshire County Council on 0300 1234047.</p> <p>Comments</p> <p>The proposal is for the demolition of existing outbuilding and construction of new 4 bedroom dwelling, with new access and associated works on Land Adjacent To Finch Cottage, Tower Hill, Chipperfield. The new dwelling will be located off of Chipperfield Footpath 012 which is not part of the adopted highway network but does have rights of way routes along it.</p> <p>The new dwelling will use the existing access onto Chipperfield Footpath 012. The applicant would need to be satisfied that they have the appropriate private vehicular rights over the public footpath to be able to reach the new dwelling.</p> <p>Provision would need to be made for an on-site bin-refuse store within 30m of the dwelling and within 25m of the kerbside/bin collection point. The collection method must be confirmed as acceptable by DBC waste management.</p> <p>The proposed dwelling is within the recommended emergency vehicle access of 45 metres from the highway to all parts of the buildings. This is in accordance with the guidance in 'MfS', 'Roads in Hertfordshire; A Design Guide' and 'Building Regulations 2010: Fire Safety Approved Document B Vol 1 - Dwellinghouses'.</p> <p>Conclusion</p> <p>HCC Highways would not wish to restrict a grant of permission for the site subject to the above informatives.</p>
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APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
9	9	0	8	1

Neighbour Responses

Address	Comments
9 Tower Hill Chipperfield Kings Langley	I would like to object to the planning application regarding redevelopment of 'The Dairy' which adjoins my property along with several others.

Hertfordshire
WD4 9LJ

I would like to object based on the following grounds:

1) Overlooking/Loss of Privacy

The proposed plans would convert a current single storey building into a 2 storey building with additional pitched roof. The height of the proposed building is approx. 7m to the ridge whereas the existing is only 4.4m.

The average roof height of the existing building is approx. 2.8m and of the proposed plan is 5.5m - a doubling of height

The new upstairs windows will be able to see directly into 3+ adjoining properties, gardens and their bedrooms.

The applicant has not considered or respected the guidelines provided by Dacorum BC in the previous approved application for this site in 2018.

A huge amount of privacy would be needlessly compromised and the look and feel of the area changed irreparably.

2) Removal of Trees/hedgerows/Ecological impact

The owner/builder has wilfully cut down pre-existing large trees and a dozen lower height laurels.

In addition, in a woodland copse at the end of the plot at least 3 (possibly more) trees have been chainsawed in order to cause death of the tree (a technique known as ring-barking - see images provided to planning application manager by email). These include at least 3 mature 30m trees which could not be replaced within 40 years.

The planning diagrams submitted have incorrectly stated there are no trees on the property and presumably to avoid planners protecting them. Please see before and after photos submitted directly to DBC Planning manager.

Elsewhere in the application the applicant shows a drone image of the foliage at front of the property claiming that the trees would minimise the impact of the new 2 story proposed house.

The action to cut down the trees is calculated and came even after one neighbour came onsite to express concern at the action being taken prior to approved planning application.

These trees form the homes for migrating birds/as well as other wildlife such as deer and foxes that have frequently ventured into our garden directly from the copse.

A statement was made by the applicant at a recent planning meeting hosted by Chipperfield Parish Council (30th November) that thorough research was done in this area to ensure no impact on wildlife, yet no evidence of this research is given in the planning application.

3) Character of the area/Green Belt

The owner has shown little regard for the rural look and feel of the area and as stated has already made irreparable changes before an application has been approved.

All other plots on the same lane are large in size and maintain plenty of foliage both at the front and between adjoining properties.

4) Should approval be given to this application, this would indeed set a precedent for conversions in the area (of barns and agricultural out buildings) and contravene many of the points outlined in the Chipperfield Village Design Statement.

[https://www.dacorum.gov.uk/docs/default-source/strategic-planning/dvelopment-in-chipperfield---chipperfield-village-statement-\(pdf-2-68m](https://www.dacorum.gov.uk/docs/default-source/strategic-planning/dvelopment-in-chipperfield---chipperfield-village-statement-(pdf-2-68m)

	<p>b).pdf?sfvrsn=0 5)</p> <p>Conclusion I recommend that the application is rejected based on the above reasons. The current proposal contravenes or is at odds with guidance already clearly set out. Should a future application be submitted there should be a clear requirement to:</p> <ol style="list-style-type: none"> 1) Follow the guidance as set out by DBC in previous application in 2018 2) Follow the guidance set out in local parish guidance - Chipperfield Village Design Statement. 3) Restore the hedging/trees that have been removed (at front & side of property) (at applicant's own cost) 4) Restoration actions be taken for the trees that have been ring-barked (at the applicant's own cost).
<p>11 Tower Hill Chipperfield Kings Langley Hertfordshire WD4 9LJ</p>	<p>Work has begun on clearing the site before planning permission has been granted. Lots of trees already removed giving direct line of site from proposed new house directly into our bedroom windows and those of our neighbours. Remaining trees that form natural border between existing properties ha been deliberately damaged by ring barking which will kill these old well established trees which are used as nests and cover by local wildlife and birds.</p>
<p>9 Tower Hill Chipperfield Kings Langley Hertfordshire WD4 9LJ</p>	<p>I would like to object to the Dacorum Herts planning application regarding redevelopment of an old disused dairy which backs onto my property along with several other neighbours.</p> <p>Overlooking/Loss of Privacy The proposed plans would convert a current single storey building into a 2 storey building with additional pitched roof. The new upstairs windows will be able to see directly into 3+ adjoining properties, gardens and their bedrooms. This was not envisioned in the original planning application which was approved for conversion of use of the dairy in 2018. As such the new application should be refused as a significant change to current state. A huge amount of privacy has been needlessly compromised and the look and feel of the area changed irreparably. Morning sunlight will be compromised by the new house in several gardens also.</p> <p>Removal of Trees The owner/builder has wilfully cut down pre-existing large trees and a dozen lower height laurels. In addition at least 2 (possibly more) trees have been cynically chainsawed in order to cause death of the tree (a technique known as ring-barking - see image). These include at least 3 mature 30m trees which could not be replaced within 40 years. He has indicated on his planning submission diagram that there are no trees on the property in order to avoid planners protecting them. However elsewhere in the application he shows a drone image of the foliage at front of the property claiming that the trees would minimise the impact of his new 2 story proposed house. These actions are cynical and dishonest. The action to cut down the trees is calculated</p>

	<p>and came even after one neighbour came onsite to express concern and objection to this plan. These trees form the homes for dozens of migrating birds throughout the year, including nests that are used year on year so there is an ecological value lost also.</p> <p>Character of the area This area is one of the last character villages in the green belt before London. Many residents have moved here for its leafy countryside and woodland feel. There is a conservation area in place adjoining this property (though not including it). The owner has shown scant regard for the rural look and feel that undoubtedly places a premium on local house values. It is clear he is only interested in maximising his own profit at the expense of other residents. All other plots on the same lane are large in size and maintain plenty of foliage for privacy reasons. There is no need to turn this plot on green belt land into a high density development and negatively impacting 5 other adjoining properties. I recommend the Dacorum planning authority rejects this application and preserves our local environment for these reasons.</p>
<p>Mulberry Cottage 3 Tower Hill Chipperfield Kings Langley Hertfordshire WD4 9LJ</p>	<p>We live in the property adjacent to the dairy on Tower Hill and would like to object to the planning application that has recently been submitted.</p> <p>Out of keeping within the area The current dairy is over 100 years old and the new proposal is out of character with the area. The removal of the trees and foliage is already having a negative affect on the privacy and rural character of the site.</p> <p>Loss of privacy / light The upstairs windows will be overlooking our property with direct line of site into our garden, kitchen/living area and our daughter's bedroom. This will directly affect our privacy. The planning application that was previously agreed didn't have this issue, nor did it impact on the natural sunlight as the roofline was much lower. Our properties are already north facing which makes the rear rooms very dark. The proposed 2 storey elevation will only reduce the amount of light further and negatively impact us.</p> <p>This new proposal is significantly different from the previously submitted plans, which were much more sympathetic to the area and the adjoining properties.</p>
<p>7 Tower Hill Chipperfield Kings Langley Hertfordshire WD4 9LJ</p>	<p>We chose this house 21 years ago for it's privacy and secured surrounded location. Being a semi detached home we wanted to ensure our privacy was protected. All of our own home and garden improvements have ensured we have considered our neighbours and protected the natural environment. The new owners of the Dairy have ruined all what we have loved about living in Chipperfield for the past 21 years. They have taken away our beautiful green border and replaced it with brick work and a full view into our home. We have never had to watch when and how we moved around our own home from bathing, getting dressed or living our lives and now we have been stripped of our privacy and been put on show to these two plots.</p>

	<p>The Dairy development has not considered years and years of foliage growth, a badger dwelling and the thought and respect of the neighbours. Without thought, they have savagely exposed our lives where we no longer have freedom to move around our home without having to consider how we are dressed, who is looking in, what we are cooking and what we are doing.</p> <p>We deserve our privacy and no one has the right to directly look into our home where we are totally exposed. All of our down stairs is surrounded in glass with direct view. Our bedroom and bathroom look directly out to these now exposed properties. We can no longer just stand how we are dressed and watch beautiful sunrises from our bedroom. We cannot climb out of the bath without now having to slide over the bath and ensure we have a towel around us before standing up. Why should we have to board up our windows with curtains and take away natural light and enjoy our views? Natural light, green borders and being private has contributed to a positive mindset and sustained mental health which has now been compromised.</p> <p>We are in complete objection to the 2 storey home being built and the fact that hedges and green boundary has been destroyed. We would like The Dairy owner to replace our privacy with fully grown hedges. How anyone would be eager to peer into another persons home is beyond belief.</p> <p>We will provide photo's of how our view and privacy has been destroyed.</p>
<p>5 Tower Hill Chipperfield Kings Langley Hertfordshire WD4 9LJ</p>	<p>We live in one of the properties adjacent to the dairy on Tower Hill and would like to object to the planning application that has recently been submitted.</p> <p>Out of keeping with character of area: The removal of the trees and foliage is already having a negative affect on the privacy and rural character of the site.</p> <p>Loss of privacy / light: Our garden backs directly on to the site and the removal of trees has completely exposed the current lower level building, all the way through to the neighbouring house Finch Cottage.</p> <p>The new proposed build would have the upper level windows overlooking our property into our back bedroom, with a clear view into our garden, kitchen/living area -directly affecting our privacy. The planning application that was previously agreed didn't have this issue, nor did it impact on the natural sunlight as the roofline was much lower. Our properties are already north facing which makes the rear rooms very dark. The proposed 2 storey elevation will only reduce the amount of light further and negatively impact us.</p> <p>This new proposal is significantly different from the previously submitted plans, which were much more sympathetic to the area and the adjoining properties.</p>
<p>Finch Cottage Tower Hill Chipperfield Langley</p> <p style="text-align: right;">Kings</p>	<p>Ref. No: 21/04277/FUL</p> <p>I am the current owner of Finch Cottage, which neighbours the property seeking planning permission, I am not attached to the proposal nor do I support it. I am writing to object to the above planning proposal on the</p>

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grounds that I believe the new proposal does not satisfy the planning policies of both Dacorum Borough Council and the National Planning Policy Framework.

The basis of my objections is based on Loss of privacy/ Overlooking, the Openness of the Green Belt, and the Character and Appearance of the proposal, each covered in detail below. I have included the previous planning decision, the relevant planning policies, the Pre-Application Advice Letter from Joan Reid at Dacorum Council as Appendixes 1, 2, and 3 respectively to allow for ease of reference.

Loss of privacy/ overlooking.

The proposal is to increase the height of the building by 48.5%, this increase in height, scale and bulk of the house will cause a significant loss of privacy, overlooking and loss of residential amenity which contravenes Core Strategy 12 subparagraphs c, d, f and g of the Core Strategy Policy (replicated in full in Appendix 2).

The original planning permission reference 4/03227/14/FUL sought to convert the existing building (an old milking parlour) into a 3-bedroom dwelling without the need for any significant alterations to the height. Permission was granted based on the conditions set out in Appendix 1 to this document. The permission expressly stated (paragraph numbers 4 and 7 of the planning decision) that the privacy of Finch Cottage was to be protected. When the previous owner sought planning permission to the site, they received the Pre-Application Advice Letter which expressed that the privacy of Finch Cottage was a significant consideration in any development to the site stating:

"the key priority in the Green Belt is to ensure that the openness is not harmed by development and any alterations to the building to allow for its conversion will need to ensure that the height and size is not increased", "the windows and doors would also need to be positioned where they would not result in loss of privacy to Finch Cottage itself or adjoining neighbours." It continued "it is not considered that conversion to a dwelling would significantly result in harmful impacts to these properties as long as windows and doors do not overlook into their gardens".

By increasing the height and bulk of all elevations so significantly and including windows that will overlook Finch Cottage garden this will result in an overbearing structure creating significant visual intrusion, loss of privacy in contravention of Local Plan Policy 11 (d), multiple strands of Core Strategy 12, the previous conditions of the planning permission and the advice contained in the pre application letter, both of which expressly stated that the privacy of Finch Cottage is to be protected.

In recent weeks the applicant has removed all the mature trees on the site which was against the previous planning permission thus making the effects of the loss of privacy, visual intrusion and residential amenity that much more pronounced.

Openness of The Green Belt

Paragraph 147 of the National Planning Policy Framework ("NPPF") states that development in the Green Belt is inappropriate "and should not be approved except in very special circumstances". Paragraph 149 of the NPPF (replicated in full here in paragraph 1 of Appendix 2) allows very limited exceptions to the general position that building in the Green Belt should be regarded as inappropriate. Core Strategy 5 (replicated as paragraph 2 of Appendix 2) of the Local Plan states that the council will apply National Green Belt Policy.

I don't believe that the proposed site should be considered an "infill" site in order to comply with the exception to the NPPF that allows development in the Green Belt if it is "limited infill in villages". There isn't a definition of infill in the NPPF, but it is attributed a definition in the supporting text to Core Strategy 6 at paragraph 8.34 (replicated as paragraph 6 in Appendix 2). This is not a vacant plot and there is no gap between the buildings and should not be termed as infill. The old milking parlour is a significant, permanent, stable structure that is of architectural quality and easily capable of being converted into living accommodation. For the proposal to meet the exception provided for in Paragraph 149 (d) of the NPPF the replacement building, at an increased roof height of 48.5% and the accompanying bulk and mass of a new first floor would objectively create a materially larger building than the one it replaces which is not permitted, and therefore doesn't meet the conditions of s149 of the NPPF.

The proposal's scale and visual impact are not sympathetic to the surroundings. The recent removal of all the mature trees that adjoined two boundaries of the Conservation Area have not retained nor protected features that are essential to the character and appearance of the village and Conservation Area.

The Council's approval of the previous application and their advice gave great focus towards ensuring that the openness of the Green Belt would not be affected by any conversion to a dwelling (paragraphs 2 and 7 of Appendix 1) the pre application advice letter stated the following. "The outbuilding is surrounded by mature trees. Any conversion would need to ensure that no harm to these trees arises" and "any development that would injure the visual amenities of the Green Belt will not be permitted". Paragraph 2.4 of the applicant's design and access statement shows a satellite image highlighting the screening that the plot provides along the boundary of the conservation area on the west of the property and all along the front of the property. This image is a significant misrepresentation of what the site now looks like.

The proposal would result in a spatial and visual change to the site and its environs that would impact the openness of the Green Belt. While the impact in openness would be relatively localised it would, nonetheless, result in harm to the Green Belt. Thus, the proposal would conflict with the aims of the NPPF. This is the view of the inspector who recently passed judgement on another Chipperfield planning application reference 21/00008 and I find it relevant when considering this proposal.

Character and Appearance

Page 54 of the Chipperfield Conservation Area Character Statement says that "the need to protect the rural soft edges of the Conservation Area means any new development at the boundaries should be resisted". The site adjoins two boundaries of the Conservation Area and as such I believe the council should consider the above statement when reviewing this proposal and consider that it would be beneficial if the Conservation Team were contacted on this basis.

A busy public footpath (Chipperfield FP12, shown in green on the extract of the OS map on page 4 of the applicant's Design and Access Statement) runs along the front of the site, the Grade II listed building The Paddock (formerly the Boot) and the locally listed Edwardian buildings at No1 & No 3 Tower Hill are in the immediate vicinity of the site and the Grade II listed building Tufts Farm is nearby, these buildings are all in the Conservation Area. Section 66(1) of the Planning (Listed Building and Conservations Areas) Act 1990 states that "in considering whether to grant planning permission for development which affects a listed building or its setting, special regard is had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses." Given the location of the site next to these listed buildings, special consideration needs to be given to how the proposal would adversely affect the setting of the listed buildings and the current proposal doesn't do that.

The current building, an old milking parlour, has architectural merit with ties back to the rural history of the area. Demolishing it and replacing it with a cement rendered house without any redeeming design or architectural features would not enhance nor benefit the local area.

The proposal does not preserve the attractive streetscape nor enhance any positives linkages between character areas nor co-ordinate streetscape design between character areas as required by Core Strategy 11 (b) and (c). Neither does the design integrate with the streetscape character as required by Core Strategy 12 (f) in the way that retaining the existing building would.

The inspector in the recent Appeal case ref 21/00008, a case which I believe shares very similar principles to this proposal, stated that " I conclude that the proposal would cause harm to the character and appearance of the Conservation Area and the significance of Grade II Listed properties, as a development within their setting, there would be conflict with CS Policy CS27, which indicates, among other matters, that the integrity, setting and distinctiveness of designated assets will be protected, conserved and if appropriate enhanced. The proposal would also conflict with Saved Policies 119 and 120 of the Dacorum Borough Local Plan 1991 - 2011 Written Statement Adopted April 2004 (LP). In summary, these seek to ensure that development adjacent to a listed building will retain the character and setting of listed buildings and that new developments in conservation areas would preserve or enhance the established character or appearance of the area. There would also be conflict with the overarching aims of the Framework."

Conclusion

	<p>The original proposal was very sympathetic in its approach to ensuring the conversion would only cause minimal disruption to the height and bulk of the existing building, raising the ridge height by only 0.15m. It provided living accommodation across two levels whilst ensuring that no changes to the privacy of Finch Cottage, the adjoining properties, or the spatial or visual impact to the openness of the Green Belt would occur. The modest alterations preserved the appearance of the building, the character of the Conservation Area and the residential amenity of the neighbouring properties. It did not contravene any local or national planning policy and is a proposal I support.</p> <p>The new proposal fails to preserve the setting of its environs, it is creating an overbearing new dwelling that will have a significantly negative visual and spatial impact on the Green Belt and Conservation Area and will cause severe loss of privacy to Finch Cottage and adjoining properties. The loss of openness to the Green Belt and privacy to Finch Cottage is multiplied by the removal of all the mature trees around the site, in direct contravention to the conditions of the approval granted by this Council. The removal of the trees and the material increase in size of the proposal is at odds with the planning policies but also clearly ignores the Council's guidance who stated that "any alterations to the building to allow for its conversion will need to ensure that the height and size is not increased" and "the outbuilding is surrounded by mature trees. Any conversion would need to ensure that no harm to these trees arises".</p> <p>This guidance and the conditions of the recently lapsed planning permission provided by the council have been ignored by the applicant to the great detriment to the site and the surrounding environs. I ask the Council to reject the proposal on the grounds that the application fails to satisfy the national and local planning policies. A design that pays considerable attention in trying to restore the damage already done to the site as is aligned closely to the original proposal, together with the advice given by the Council would be more in keeping with the character and appearance of the area, ensuring no further harm to the Green Belt occurs and the privacy of Finch Cottage and adjoining neighbours is maintained.</p>
<p>Bronte 2A Nunfield Chipperfield Hertfordshire WD4 9EW</p>	<p>I write to give full support to the above planning application.</p> <p>I regularly walk this route and I think the proposal would bring a derelict site back into positive use which would benefit the area and make it look more attractive. The removal of the existing building (which is covered in Asbestos), would improve the visual appearance of the area as the building is in significant disrepair.</p> <p>In addition, the proposed dwelling may bring a family with children into the area which would benefit the local Community/Schools.</p>
<p>Oakleigh House Tower Hill Chipperfield Langley Hertfordshire</p> <p style="text-align: right;">Kings</p>	<p>We live in Tenements Farm Lane and wish to object to the planning application on the grounds that it is an unsympathetic and inappropriate Green Belt development and contrary to Dacorum's planning policy and the Chipperfield Village Design Statement (Design Statement) which was adopted as Supplementary Planning Guidance by Dacorum</p>

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Borough Council.

The Design Statement states that "Through the adoption of this Design Statement as Supplementary Planning Guidance by Dacorum Borough Council, statutory bodies, planners, architects, builders, engineers and local householders and businesses will all have a better idea of how they can contribute positively to retaining and enhancing the village's local distinctiveness and will be encouraged to follow these guidelines for all development whether or not planning approval is required. If the principles are carefully followed this will make a major contribution to the maintenance of the local heritage in Chipperfield for future generations."

Presumably the applicant and his architect will have taken the trouble to review this document as well as conditions included in the previous application for this land that was successful. However it seems clear from the proposal and the applicant's actions since buying the land, that the applicant has decided, in the interests of maximising the financial return, they should be wilfully ignored.

Failure to Comply with Planning Requirements

The Design Statement states:

- Avoid open plan frontages.
- Plots and building lines should retain existing trees and landscape features.
- New buildings should be sensitively sited to fit into the landscape with appropriate planting and natural screening, with the retention of existing mature trees, hedges and landscape features where possible.
- Frontages to be enclosed by native species hedging.

The proposal is for an open plan frontage with none of the trees and hedging being retained.

The previous successful planning application included conditions "To avoid inappropriate development in the Green Belt, to avoid loss of privacy to Finch Cottage and avoid pressure on the mature trees and hedging which abuts the outbuilding in accordance with policy CS5 and CS12 of the adopted Core Strategy and policy 99 of the local plan."

CS12 includes a provision to "retain important trees or replace them with suitable species if their loss is justified". The applicant in response to the question in the application "Are there trees or hedges on the proposed development site?" answered No. This was clearly not true and the photos included in the application show that the existing site was screened from Tenements Farm Lane by hedging and a Larch Tree and there are other trees on the site. The applicant then cut down all the trees and hedging at the front of the site and has apparently removed or deliberately damaged the trees to the rear. Even if the applicant can find justification for destroying the existing trees and hedging, the proposal should provide suitable replacements.

Inappropriate Development in the Green Belt

The application acknowledges that within the Green Belt the extension or alteration of a building would be inappropriate if it results in disproportionate additions over and above the size of the original building and that a replacement building is inappropriate if it is materially larger than the one it replaces. The proposed development is significantly larger than the existing milking parlour and, as evidenced by the previous successful planning application, the existing building can be converted into living accommodation without the need to materially enlarge it.

There is an existing building on the site and the applicant's claim that the proposed development is infill is clearly unjustified.

The application claims "The proposed dwelling would not have a significant [impact] on the character and appearance of the countryside, as the new building is in a similar position to the existing building, and is surrounded by other residential development." Having removed the trees and hedging that was screening the plot and creating an open frontage, the unsympathetic design and size of the proposed dwelling clearly will have a significant impact on the area.

The application also seeks to justify the scale of the building by claiming "When seen from the lane, the building fills the view, so the built form is very much the dominant feature when assessing the impact on openness within the Green Belt." Until the applicant destroyed the trees and hedging in front of the milking parlour, the dominant features from the lane were the trees and hedging. The milking parlour was only visible through the gate to the property and then the view was of a building that fitted with the surroundings in terms of size and materials. With the destruction of the trees and hedging screening, the unsympathetically designed house will have an even greater adverse impact on the surroundings.

The applicant claims the proposals create a harmonious design that would enhance the character and appearance of the site. The proposed building is not sympathetic in any respect with the surrounding buildings and this discordance with the surroundings is exacerbated by the removal of the trees and hedging on the site and the open plan frontage.

We recommend that the application is rejected and hope that when approving any future applications for this site, there should be the requirement to restore the hedging/trees front boundary to the property to ensure that the streetscape is appropriate to the area.