

**ITEM NUMBER: 5e**

<b>21/04404/FHA</b>	<b>Single storey rear extension, entrance porch, single storey front extension, feature gable and reconfiguration of roof, reconfiguration of windows to front elevation, reconfiguration of the floor plan, associated hard landscaping incorporating retaining walls and parking area, cladding to garage block, provision of gates and front boundary treatment and alterations to associated hardstanding. (amended description)</b>	
<b>Site Address:</b>	<b>Russett View, Dunny Lane, Chipperfield, Hertfordshire, WD4 9DD</b>	
<b>Applicant/Agent:</b>	<b>Mr &amp; Mrs M Brookes</b>	<b>Mr Nigel Hammond</b>
<b>Case Officer:</b>	<b>Patrick Doyle</b>	
<b>Parish/Ward:</b>	<b>Chipperfield Parish Council</b>	<b>Bovingdon/ Flaunden/ Chipperfield</b>
<b>Referral to Committee:</b>	<b>The applicants are DBC employees</b>	

**1. RECOMMENDATION**

1.1 That planning permission be **GRANTED**.

**2. SUMMARY**

2.1 The application site lies within the Metropolitan Green Belt wherein new buildings are generally considered inappropriate development. There are exceptions to this however which includes extensions to buildings, provided they are not 'disproportionate' to the original building. For the reasons set out in this report, it is considered that the extensions are disproportionate and would therefore be harmful to the openness of the Green Belt, however very special circumstances have been demonstrated given the material fallback of the permitted development rights for alternative development enabling more extensive harm to the Green Belt openness as an alternative to the development proposed. The proposal is therefore consistent with paragraphs 147 and 148 of the NPPF.

2.2 The development would be acceptable having regard to the visual appearance of the extensions, the impact on designated heritage assets, impacts on neighbours, impacts on highway safety and parking provision.

**3. SITE DESCRIPTION**

3.1 The application site comprises of a deep plot, extending from Dunny Lane towards the south-east. The site benefits from a carriage driveway and double garage to the front of the site, the dwelling located uphill and about 2/3rds of the way into the plot, with a large swimming pool outbuilding located behind and to the side of the dwelling. The access along the eastern flank of the site is shared with the property known as Rosemary to the south-east.

3.2 The site lies within the Chipperfield Conservation Area and within the Metropolitan Green Belt.

**4. PROPOSAL**

4.1 Householder planning permission is sought for extensions to the existing dwelling; the creation of new parking spaces and retaining walls; and for the cladding of the existing double garage at the front of the site. The proposals also indicate two sets of entrance gates near the front of the site, set back around 6m from the highway.

4.2 The dwelling would comprise of four bedrooms.

4.3 Since the application was originally submitted proposals for the extension and conversion of an outbuilding to form a residential annexe have been removed from the plans.

## 5. PLANNING HISTORY

Planning Applications (If Any):

21/01508/TCA - Works to trees.  
*RNO - 20th May 2021*

21/02603/TCA - Works to tree.  
*RNO - 15th July 2021*

22/00275/TCA - Fell 8 trees on highway verge.  
*RNO - 10th February 2022*

4/1500/88 - Historic File Check DMS for Documents and Further Details  
*DET - 20th September 1988*

4/0533/89 - Historic File Check DMS for Documents and Further Details  
*DET - 7th June 1989*

4/00523/17/FHA - Extension above existing garage  
*GRA - 7th June 2017*

4/00256/16/TCA - Works to Trees.  
*RNO - 1st March 2016*

4/01226/15/TCA - Works to trees  
*RNO - 6th May 2015*

4/00414/75/FUL - Elderly persons residence  
*REF -*

4/01360/12/TCA - Works to trees  
*ROB - 28th August 2012*

4/00501/12/TCA - Works to trees  
*RNO - 20th April 2012*

4/00702/09/FHA - Replacement of flat with pitched roof and three velux windows over existing extension and retiling of main roof  
*GRA - 23rd June 2009*

4/00010/09/LDP - Replacement pitched roof to extension and re-roof main dwelling  
*REF - 26th February 2009*

4/01045/05/DRC - Details of sectional detail of driveway including surfacing materials required by condition 4 of planning permission 4/00353/05 (demolition of garage and construction of attached garage (amended scheme))  
*GRA - 27th June 2005*

4/00353/05/FHA - Demolition of garage and construction of attached garage (amended scheme)  
GRA - 15th April 2005

4/02679/04/FHA - Demolition of garage and construction of attached garage  
WDN - 5th January 2005

4/01370/00/DRC - Details of roof tile required by condition 2 of planning permission 4/1595/98  
(construction of building to accommodate swimming pool)  
GRA - 11th August 2000

4/00775/00/DRC - Details of facing materials required by condition 2 of planning permission  
4/01595/98(erection of building to accommodate swimming pool)  
GRA - 5th May 2000

4/01595/98/FUL - Erection of building to accommodate swimming pool  
GRA - 11th December 1998

## **6. CONSTRAINTS**

CIL Zone: CIL2

Chipperfield Conservation Area

Former Land Use (Risk Zone):

Green Belt: Policy: CS5

Heathrow Safeguarding Zone: LHR Wind Turbine

Parish: Chipperfield CP

RAF Halton and Chenies Zone: Green (15.2m)

Parking Standards: New Zone 3

EA Source Protection Zone: 3

Tree Preservation Order: 522, Details of Trees: G1 4x Common Ash, 1x Common Birch 2x Sycamore

## **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

CS10 - Quality of Settlement Design  
CS11 - Quality of Neighbourhood Design  
CS12 - Quality of Site Design  
CS25 - Landscape Character  
CS27 Quality of the Historic Environment  
CS29 - Sustainable Design and Construction

Supplementary Planning Guidance/Documents:

Chipperfield Conservation Area Character Appraisal (2009)  
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)

### 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. This policy does however go on to state that small-scale development within the Green Belt will be permitted, inter alia, for limited extensions to existing buildings.

9.3 The above is considered to be broadly consistent with the NPPF, which states in paragraph 149 that local planning authorities should regard the construction of new buildings as inappropriate development in the Green Belt, however there are a list of exceptions to this which includes c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.

9.4 The NPPF does not define what is meant by 'disproportionate additions' and so applications must be assessed on their own merits. Equally, policy CS5 of the Core Strategy does not define what is meant by 'limited extensions', so again regard would need to be had to the individual circumstances of each case.

9.5 The proposal could therefore be acceptable in principle, subject to it being demonstrated that the extensions to the existing buildings are not in themselves disproportionate and there is no otherwise unacceptable impact to the openness of the green belt overall.

### Impact on the Openness of the Green Belt

9.6 One measure of the impact on Green Belt openness and whether extensions are indeed 'proportionate' is to compare the existing and proposed built form in floorspace and volume terms.

- 9.7 From the planning history, it appears that the original building had a floor area of 111.7sqm. The 'original building' is taken as the building existed on 1<sup>st</sup> July 1948 or if built after this date, as it was built originally. A number of extensions to the original building have taken place since its original construction and these are summarised in chronological order as follows:
1. A single storey rear extension was granted in 1977 (ref: 4/0722/77) which contains the current kitchen and dining room. This element added around 39.4sqm in floor space terms.
  2. In 1988 (4/1500/88) permission was applied for and granted for a new bay window to the front elevation. This resulted in a nominal increase in floorspace of around 0.5sqm.
  3. In 2005, a new garage extension to the side of the dwelling was approved and subsequently built out (ref: 4/00353/05). This was a revision of an earlier 2004 approval and added around 19.5sqm of floorspace.
  4. In 2009, an application to change the flat roof above the kitchen and dining room extension to a pitched roof was approved and this was subsequently built out. This did not add any floorspace, but did add volume. It should also be noted that one of the original consents from 1977 (which was not built out) included a pitched roof. A second approval from 1977 (referenced in point 1 above) was built out with a flat roof instead.
  5. At some time between 2009 and 2017, an infill extension was built off the back of the attached garage and connecting to the dining room, but there does not appear to be any formal planning history for this part of the house. This added around 12sqm of floorspace.
  6. In 2017, an application for a first floor extension above the garage (and the unauthorised single storey extension) was approved. The officer report indicates that this would have added around 43.2sqm of floorspace.
  7. Based on the plans and planning history, it does not appear that any other extensions have been built out since 2017. It is however unclear when the double garage at the front of the site was built. The submission acknowledges that this had originally been a single garage and has since become a double garage, but again does not benefit from any formal planning permission so there is some ambiguity over this building.
- 9.8 Therefore, based on the above, it appears that a total of 114.6sqm of floorspace has been added to the original building, which had a floorspace of 111.7sqm. As such the dwelling has already been made larger by 102.6% (226.3sqm = 202.6% of the original building). This does not include the fact that the swimming pool outbuilding has been constructed and a double garage has also been constructed at the front of the site.
- 9.9 These current proposals seek to add approximately 54.3 sq.m of floorspace which would therefore take the total floor area to 280.6sqm, which represents a total increase in floor area terms of around 151.2% (251.2% of the original). This is a substantial increase and is not therefore considered a 'proportionate addition'.
- 9.10 Paragraph 147 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 adds that, when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very Special Circumstances' will not exist unless the potential harm to the Green Belt by

reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

- 9.11 The submission appears to acknowledge that the extensions are disproportionate and therefore seeks to justify the proposals relying on the potential fallback position that permitted development rights would enable.
- 9.12 The proposed extensions would not in themselves amount to permitted development as the extensions would be connected to one another, or to previous extensions and so would not comply with PD criteria. Similarly the front gable element would not amount to PD as you cannot extend forward of a principal elevation unless in the case of a porch, which this is not. However the scale of plausible permitted development extensions permitted do include larger scale additions to the rear of the property and a front porch and would be a realistic alternative if planning permission were refused. A rear extension and front porch in combination could create a development of a volume of 238.6 cu.m and floorspace of 60 sq.m (instead of the 211.7 cu.m and 54.3 sq.m proposed by the front and rear additions). In addition, given the wide scale additions to the property, permitted development rights will be removed for further enlargement to restrict any further uncontrolled additions to the property and to maintain visual and spatial openness of the Green Belt, consistent with the purposes of the Green Belt at local and national level.
- 9.13 In addition the proposals now include the removal of 70 sq.m of hardstanding to the front and landscaping condition is proposed to soften the overall appearance of the development and increase area free from built form of development. Although additional hardstanding is proposed to the rear of the property (30 sq.m). Overall this is considered positive aspect of the scheme in qualitative and quantitative terms.
- 9.14 Whilst the proposal are inappropriate development by definition and would harm Green Belt openness spatially (however not visually as considered in next section), however Very Special Circumstances identified are considered to clearly outweigh this harm. Therefore the proposals are consistent with paragraph 147 and 148 of the NPPF and acceptable in principle.

#### Quality of Design / Impact on Visual Amenity

- 9.15 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.
- 9.16 Notwithstanding the above concerns over Green Belt principle issues, the extensions themselves are single storey and, with the exception of the front 'feature window', they would be largely disguised from the highway by the existing dwelling and vegetation. The large glazed feature would give the dwelling a more prominent appearance from the highway, however given the set-back distance from the highway, this is not thought to result in any significant levels of harm in visual terms and would add visual interest and overall design quality of the building.
- 9.17 The submission indicates a mix of facing brickwork plinths, dark-stained feather-edge timber boarding, black aluminium windows and doors and a grey slate effect roof tile. There are no

in-principle objections to this use of material in the Conservation Area. The only concern of the Conservation and Design Officer was that they would prefer to see a lighter coloured timber. A condition requiring details of final materials is proposed. Otherwise, the materials are largely acceptable in a rural location such as this and the varied materiality in the locality.

- 9.18 Following on from the above, there are no in-principle concerns with the proposed cladding of the existing double garage at the front of the site. On the basis that this would match the dwelling, it would be considered to have an appropriate appearance. Again this would need to be covered by planning condition.
- 9.19 The proposals include alterations to the hard and soft landscaping to the front and rear of the property. The plans indicate an overall reduction in hardstanding and landscaping details can be secured by condition to ensure the development contributes to the overall character and appearance of the locality and conservation area. The submission indicates the provision of two sets of entrance gates although there does not appear to be details of these so this is to be secured by condition.
- 9.20 Therefore, the proposals are considered to comply with policies CS11 and CS12 as far as the visual impacts are concerned, such as scale, design and appearance, nor visual harmful from a green belt perspective.

#### Impact on Designated Heritage Assets

- 9.21 The application site lies within the Chipperfield Conservation Area wherein 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.
- 9.22 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.
- 9.23 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.
- 9.24 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.
- 9.25 Also of relevance is the Chipperfield Conservation Area Character Appraisal which identifies the site as lying within 'Area 5'. The Appraisal states that in Area 5, the outlying areas to the north-west area of the Village comprise of clusters of buildings on both sides of the two

roads, Tower Hill and Dunny Lane. Both roads are well hedged, Dunny Lane running downhill from the Royal Oak crossroads, and Tower Hill running uphill from there towards Bovingdon. House plots tend to be generous and back onto ancient enclosed fields; these fields press up to the roads between the buildings.

- 9.26 Firstly, with regards to Listed Buildings, it appears that Russett View is within the setting of Lavender Cottage, a locally listed building. Paragraph 203 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 9.27 The application seeks householder extensions to Russett View, including extensions to the outbuilding. These proposals do not fundamentally change the use of the site which is a residential use and so there would be no impact to the 'setting' of this locally listed building. In addition, the proposed extensions, with the exception of the feature window, would be sited behind the dwelling and behind the outbuilding, so wouldn't necessarily 'read' as being within the same setting. Whilst acknowledging the proposed cladding to the double garage at the front of the site, it is not considered that the proposals would result in any material harm to the locally listed building nor Conservation area.
- 9.28 It is therefore considered that the proposals would not unduly affect designated heritage assets and the proposals would therefore comply with policy CS27 of the Core Strategy, policies 119 and 120 of the Local Plan and complies with the NPPF.

#### Impact on Residential Amenity

- 9.29 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.
- 9.30 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.
- 9.31 It was noted at the time of the site visit that the north-eastern and south-western boundaries of the site are largely well-screened. For the reasons already set out above, the extensions are single storey and predominantly located behind the dwelling. As such they would not materially affect the neighbours. The front extension to incorporate the 'feature window' would be largely glazed and may give the perception of increased overlooking, however any views from this window would be akin to simply standing in front of the dwelling on the existing patio. As such there would be no increased overlooking of neighbouring properties.
- 9.32 The neighbour to the south-east Rosemary would be unaffected by the proposals as that property is sited on a much higher ground level than Russett View. Similarly the proposed works at the front of the site are not thought to result in any material harm to neighbours.
- 9.33 The proposal is therefore considered to comply with policy CS12 of the Core Strategy insofar as residential amenity is concerned and complies with the guidance of the NPPF in this regard. As with the above sections of the report, this absence of harm is not considered to be a benefit and does not overcome the more fundamental issues in Green Belt terms.

#### Impact on Highway Safety and Parking



- 9.34 Policy CS12 of the Core Strategy and paragraph 110 of the NPPF require development to provide safe and suitable access for all users.
- 9.35 The Highway Authority have been consulted and note the existing carriage driveway. They raise no objections to the scheme and note the provision of entrance gates which would be set back farther than 6m as required, given the speed limit of Dunny Lane.
- 9.36 With regard to parking, the report has already acknowledged above that there would be an overprovision, with a total of 8 parking spaces shown on the plans, along with the double garage at the front of the site, totalling 10 parking spaces. The dwelling would comprise of four bedrooms, typically only requiring 3 car parking spaces. Whilst it is acknowledged that there is an overprovision of parking, it appears that the 4 spaces to the front of the site could be put in place without requiring planning permission.
- 9.37 As such it is considered that the proposal would be acceptable in respect of highway safety and parking provision. The scheme demonstrates an absence of harm in this regard and not a benefit considered to outweigh the fundamental concerns raised above in this report.

#### Other Material Planning Considerations

- 9.38 With respect to trees, the Council's Conservation & Design Officer suggested in their initial response that some trees had already been removed in the Conservation Area. There were two applications for works to trees earlier in 2021 to which no objection was raised, ref: 21/01508/TCA and 21/02603/TCA. It appears that the trees were likely removed in accordance with these consents, although this current application is not to establish whether compliance with that consent has been demonstrated. That would be a separate matter to be taken up with the Council's Planning Enforcement team. The proposals do not unduly affect any of the TPO's present on site.
- 9.39 The Council's Environmental Health team have also been consulted and raise no objections in relation to Contaminated Land, noise, dust, air quality etc. although some planning informatives have been suggested, which would have been appropriate had planning permission been forthcoming.
- 9.40 Thames Water have commented and confirm that they have no objection, although they have suggested a number of planning informatives.

#### Chiltern Beechwood Special Area of Conservation (SAC)

- 9.41 The planning application is within Zone of Influence of the Chilterns Beechwoods Special Area of Conservation (CB SAC). The Council has a duty under Conservation of Habitats and Species Regulations 2017 (Reg 63) and Conservation of Habitats and Species (EU exit amendment) Regulations 2019 to protect the CB SAC from harm, including increased recreational pressures.
- 9.42 A screening assessment has been undertaken and no likely significant effect is considered to occur to the CB SAC therefore an appropriate assessment is not required in this case.

#### Response to Neighbour Comments

- 9.43 No comments have been received from neighbours.
- 9.44 The Parish Council have raised concerns with the size and position of the outbuilding, however this aspect of the proposals have been removed from consideration.

## **10. CONCLUSION**

- 10.1 The application site lies within the Metropolitan Green Belt wherein new buildings are generally considered inappropriate development. There are exceptions to this however which includes extensions to buildings, provided they are not 'disproportionate' to the original building. For the reasons set out in this report, it is considered that the extensions are disproportionate and would therefore be harmful to the openness of the Green Belt, however very special circumstances have been demonstrated given the material fallback of the permitted development rights for alternative development enabling more extensive harm to the Green Belt openness as an alternative to the development proposed. The proposal is therefore consistent with paragraphs 147 and 148 of the NPPF.
- 10.2 The development would be acceptable having regard to the visual appearance of the extensions, the impact on designated heritage assets, impacts on neighbours, impacts on highway safety and parking provision.

## **11. RECOMMENDATION**

11. That planning permission be **GRANTED**.

### **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. **No construction of the superstructure shall take place 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:**

- **all external hard surfaces within the site;**
- **other surfacing materials;**
- **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: in the interests of ensuring the overall quality of the development, safeguarding the residential and visual amenity of the locality, and preserving heritage assets and Green Belt

openness in accordance with Policies CS5, CS11, CS12 and CS27 of the Dacorum Borough Core Strategy (2013) and Paragraph 130 and Chapters 13 and 15 of the National Planning Policy Framework (2021).

3. **No development (excluding demolition/ground investigations) shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. Please do not send materials to the Council offices. Materials should be kept on site and arrangements made with the Planning Officer for inspection.**

Reason: To ensure satisfactory appearance to the development, to safeguard the visual character of the area, and preserving heritage assets and Green Belt openness in accordance with Policies CS5, CS11, CS12 and CS27 of the Dacorum Borough Core Strategy (2013) and Paragraph 130 and Chapters 13 and 15 of the National Planning Policy Framework (2021).

4. **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 further enlargement of the building or outbuildings, additional hardstanding or means of enclosure shall occur or development falling within the following classes of the Order shall be carried out without the prior written approval of the Local Planning Authority:**

**Class A, Class B, Class D, Class E, Class F of Part 1, Schedule 2 and;  
Class A, Part 2, 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, preserve heritage assets and Green Belt openness in accordance with Policies CS5, CS11, CS12, CS27 of the Dacorum Borough Core Strategy (2013) and Paragraph 130 and Chapters 13 and 15 of the National Planning Policy Framework (2021).

5. **Notwithstanding the details shown on the approved drawings, no gates, fencing or other means of enclosure shall be constructed until details of the gates, fencing or other means of enclosure have been submitted to and agreed in writing by the Local Planning Authority. The gates, fencing or other means of enclosure shall then be constructed in accordance with the approved details.**

Reason: To ensure satisfactory appearance to the development, to safeguard the visual character of the area, and preserving heritage assets and Green Belt openness in accordance with Policies CS5, CS11, CS12 and CS27 of the Dacorum Borough Core Strategy (2013) and Paragraph 130 and Chapters 13 and 15 of the National Planning Policy Framework (2021).

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

**Drwg No. 01 Rev C; Drwg 03 Rev G; Drwg 04 Rev F; Drwg 08 rev E; Drwg 09 rev K;  
Drwg Rev 10 D**

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

**Informatives:**

1. Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which lead to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.
2. Biodiversity enhancements could be incorporated into the development proposal. These could be in form of bat and bird boxes in trees, integrated bat roost units (bricks and tubes) in buildings, specific nest boxes for swifts, swallows and martins, refuge habitats (e.g. log piles, hibernacula) for reptiles at the site boundaries, etc. These should be considered at an early stage to avoid potential conflict with any external lighting plans. Advice on type and location of habitat structures should be sought from an ecologist.
3. In accordance with the Councils adopted criteria, all noisy works associated with site demolition, site preparation and construction works shall be limited to the following hours - 07:30 to 17:30 on Monday to Friday, 08:00 to 13:00 on Saturday and no works are permitted at any time on Sundays or bank holidays.
4. Dust from operations on the site should be minimised by spraying with water or carrying out of other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Practical Means (BPM) should be used at all times. The Applicant is advised to consider the control of dust and emissions from construction and demolition Best Practice Guidance, produced in partnership by the Greater London Authority and London Councils.
5. The attention of the Applicant is drawn to the Control of Pollution Act 1974 relating to the control of noise on construction and demolition sites.
6. There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.  
<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

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, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer network.

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. Management of surface water from new developments should follow guidance under sections 167 & 168 in the National Planning Policy Framework. 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. <https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>.

7. 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) Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the County Council website at:

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AN 3) Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

## APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Conservation & Design (DBC)	<p>I commented on the pre-app as follows:</p> <p>"The property, a single storey bungalow of 'butterfly' plan is not of strong architectural interest. It has been considerably extended to the rear as well as having a large pool outbuilding at the rear.</p> <p>The key element to the context is the manner in which all the built form sits low on the hillside, below the adjacent property, Rosemary. The addition of a full storey will impact on this. However, it might well be feasible to raise the building to 1½ storeys (eg in the manner of Wagoners nearby); possibly with a full front gable at the garage end. If this approach is adopted, the new entrance hall and appropriate fenestration/dormers/roofing materials (slate would be acceptable) would flow from this - including possibly accommodating a front balcony in the forward facing end gable. Painted render (or perhaps vertical</p>

timber cladding) would be acceptable rather than dark stained 'barn style' cladding. I do not see an issue with converting the pool to a gym/home office and creating a simple glazed link between the house and the pool room from a design perspective."

The current scheme abandons the proposal to raise the roofline, which is a positive.

Whilst there was no objection to converting the pool room to leisure use, the current scheme envisages a flat-roofed bedroom extension, addition of a porch, dormer etc as part of its conversion to a residential annexe. The pool building already has a large footprint in relation to the house and I would suggest that the building does not follow AONB/ Conservation advice, all of which recommend against using crown roofs and flat roofs, and in this case they are awkwardly juxtaposed. I would therefore propose that the building's roof could be re-configured as a shallow monopitch, preferably green roof to bed it better into this hillside location. A more contemporary treatment of the fenestration, entrance etc could then be incorporated in the design. This solution would then also be able to accommodate a rear extension more comfortably.

I note that the application still suggests black weatherboarding, and although local examples are shown in the planning statement, I would suggest that a lighter cladding material is adopted, which would be more in keeping with the original 1960s building.

I note in the Planning Statement the reference to felling of trees which may have required Conservation Area consent?

Also to the proposal to install gates, which may require consent?  
Revised comments received 17.01.2022:

I have reviewed the plans - which are incorrectly and confusingly listed as 'existing plans' when they are in fact a combination of existing and proposed.

Apologies however as I had misread the north-east elevation (and ground plans) as showing a crown roof when it relates to a return roof.

In this respect, the proposal cannot be criticised for failing to follow Conservation Area design advice (the AONB guidance having been referred to simply for echoing and reinforcing good practice). The adoption of a flat roof for the extension however, does not follow the CA advice, and as previously stated does not sit comfortably with the main roof. (This was a key reason for suggesting a monopitch green roof, which would have significantly enhanced the appearance of this

	<p>utilitarian building, constructed prior to the Conservation Area Appraisal for Chipperfield being adopted)</p> <p>I would therefore question the need for the second bedroom which creates this particular problem, and extends the overall structure (observed from the outset as having a substantial footprint) beyond its original build lines. If the extension is acceptable from a planning perspective, however, I would accept the flat roof will not be viewed from the Conservation Area, and that levels prevent it being tucked under the eaves of the existing building as would normally be the case. In this respect, I would therefore accept that the alterations to the pool building do not cause sufficient harm to the Conservation Area that would justify refusal. However, I would agree with the proposal to insert a condition relating to materials.</p>
<p>Hertfordshire Highways (HCC)</p>	<p>Fire Safety Advisor:</p> <p>Apologies for the delayed response, this was originally in my colleague's to-do list who is now off sick and I'm picking up bits and pieces.</p> <p>If there is not adequate space on site for a fire appliance to manoeuvre and turn around, then they should only be expected to enter approx. 20m on to site as they are not expected to reverse more than 20m. This is to allow swift redeployment if needed elsewhere. Therefore measurements can start 20m on site from Dunny Lane if that makes sense. From that point, the maximum travel distance from the rear of the parked fire appliance to the furthest point within a building should be no more than 45m. Anything further than 45m, it would be recommended to have sprinklers installed as 45m is the standard length of hose, and laying additional hose will take time before entry otherwise firefighters could face a more developed fire and casualties more time exposed to it.</p> <p>Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.</p> <p>Highway Informatives</p> <p>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:</p> <p>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</p>

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) Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. 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.

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#### Comments

This proposal is for the construction of a single storey rear extension, entrance porch, single storey front extension, feature gable and reconfiguration of roof, reconfiguration of windows to front elevation, associated hard landscaping incorporating retaining walls and parking area. Conversion of Swimming Pool Building to create an annexe building, with single storey porch extension, single storey rear extension, associated hard landscaping incorporating retaining walls and steps. Cladding to Garage Block with hard landscaping to existing carriage driveway forming parking area, gates and front boundary treatment at Russett View, Dunny Lane, Chipperfield. HCC Highways previously responded with an interim response pending comments from Herts Fire and Rescue. Subsequently, Herts fire and rescue have responded to the Local Planning Authority stating the need for sprinklers for the new annexe building. Any fire access matters shall be dealt with by them as the fire service.



	<p>The site has an existing carriage drive with two dropped kerbs onto Dunny Lane. There is proposed to be no changes to the existing highway network. The gates for the entrances will be set back greater than the 6 metres required from the highway network, which is deemed acceptable. Parking is a matter for the local planning authority and therefore any parking arrangements must be agreed by them.</p> <p>HCC Highways would not wish to restrict a grant of permission for this proposal subject to the inclusion of the above highway informatives.</p>
<p>Chipperfield Parish Council</p>	<p>CPC: No comments to make in relation to rear extension however we have concerns in regard to the size and position of the proposed summerhouse/swimming pool, as no grounds have been stated for unacceptable development in GB</p>
<p>Thames Water</p>	<p>Waste Comments:</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, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer networks.</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, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer network.</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. Management of surface water from new developments should follow guidance under sections 167 &amp; 168 in the National Planning Policy Framework. 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>Swimming Pools - Where the proposal includes a swimming pool, Thames Water requests that the following conditions are adhered to with regard to the emptying of swimming pools into a public sewer to prevent the risk of flooding or surcharging: - 1. The pool to be emptied overnight and in dry periods. 2. The discharge rate is controlled such that it does not exceed a flow rate of 5 litres/ second into the public 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>There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <a href="https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes">https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes</a>.</p> <p>Water Comments:  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 - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.</p> <p>Development Planning,  Thames Water,</p>
Trees & Woodlands	<p>According to the information submitted no trees of significant landscape value or amenity will be detrimentally affected by the development. Subsequently I have no objections to the application being approved.</p>
Environmental And Community Protection (DBC)	<p>Having reviewed the application submission and the ECP Team records I am able to confirm that there is no objection on the grounds of land contamination. Also, there is no requirement for further contaminated land information to be provided, or for contaminated land planning conditions to be recommended in relation to this application.</p> <p>With reference to the above planning application, please be advised Environmental Health have no objections or concerns. However I would recommend the application is subject to construction working hours with Best Practical Means for dust.</p> <p>Construction Hours of Working - (Plant &amp; Machinery) Informative</p>

	<p>In accordance with the councils adopted criteria, all noisy works associated with site demolition, site preparation and construction works shall be limited to the following hours: Monday - Friday 07.30am - 17:30pm, Saturdays 08:00am - 13:00pm, Sundays and Bank Holidays - no noisy works allowed.</p> <p>Construction Dust Informative</p> <p>Dust from operations on the site should be minimised by spraying with water or by carrying out of other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Practical Means (BPM) should be used at all times. The applicant is advised to consider the control of dust and emissions from construction and demolition Best Practice Guidance, produced in partnership by the Greater London Authority and London Councils.</p> <p>Noise on Construction/Demolition Sites Informative</p> <p>The attention of the applicant is drawn to the Control of Pollution Act 1974 relating to the control of noise on construction and demolition sites.</p>
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**APPENDIX B: NEIGHBOUR RESPONSES**

**Number of Neighbour Comments**

<b>Neighbour Consultations</b>	<b>Contributors</b>	<b>Neutral</b>	<b>Objections</b>	<b>Support</b>
5	0	0	0	0

**Neighbour Responses**

<b>Address</b>	<b>Comments</b>