

## ITEM NUMBER: 5b

21/01720/FUL	Change of use of agricultural land to dog walking paddock with the use of West Leith Farm existing car parking for customer/ visitor parking.	
Site Address:	West Leith Farm, West Leith, Tring, HP23 6JR	
Applicant/Agent:	Lisa Burchmore	Mr Paul Hems
Case Officer:	Nigel Gibbs	
Parish/Ward:	Tring Town Council	Tring West & Rural
Referral to Committee:	Contrary to the views of Tring Town Council	

### 1.RECOMMENDATION

1.1 That temporary planning permission be **GRANTED**.

### 2. SUMMARY

2.1 The proposal would enable West Leith Farm to diversify its economic base providing a recreational use in the Green Belt. This would be in accordance with the economic and social objectives of the National Planning Policy Framework in delivering sustainable development.

2.2 A temporary and personal planning permission is recommended at a reduced level of activity than as proposed. This is to enable the environmental impact of the proposed use upon the Chilterns AONB, Green Belt and this residential area to be assessed for an initial period in this very sensitive, not particularly sustainable location.

2.3 The existing fencing enclosing the land was installed as 'permitted development' prior to the application being submitted to the Council. This has adversely affected the openness of the Green Belt and the character and appearance of the AONB, but was outside the Council's control. The submitted Original Scheme's proposed parking was harmful to the Green Belt and AONB.

### 3. SITE DESCRIPTION

3.1 West Leith comprising of West Leith Farm and a cluster of dwellings, is located to the south west of the built up edge of Tring. This isolated pocket of development occupies a Green Belt and Chilterns AONB setting linked to Tring by Duckmore Lane.

3.2 West Leith is an unclassified (30mph limit) relatively narrow, rising and wooded road leading to West Leith Farm, being a highway maintainable at public expense. The stretch of West Leith adjoining the application site is part of a Byway Open to All Traffic (BOAT 075) as shown on the Definitive Map of Public Rights of Way in Hertfordshire. The BOAT provides walkers access into the adjoining Stubbings Wood which is a Site of Special Scientific Interest.

3.3 In addition to West Leith Farm, the 'quasi hamlet' includes The Barns (a residential complex of converted former parts of the historic farm complex) and other dwellings fronting West Leith. These include 3 detached dwellings to the south east of The Barns. The most south eastern dwelling is the two storey Five Hills Cottage served by an elongated rear garden at a level lower than the application site.

3.4 Five Hills Cottage's elongated south eastern mostly hedged boundary adjoins land associated with West Leith Farm and the fenced application site, which is served by a gate linked to the BOAT. A grassed informal track is positioned parallel with and separates the application site from the

hedged elongated boundary with Five Hills Cottage. The track's field gate adjoins the West Leith roadway.

3.5 The submitted Planning Statement describes the land as a paddock of 0.54ha / pasture land adjoining the edge of Stubbings Wood.

3.6 West Leith Farm's main access is an elongated track/ roadway adjoining The Barns residential complex linked to the West Leith road.

## **4. PROPOSAL**

### **4.1 The Original Scheme**

This was for full planning permission to change the use of the paddock to a dog walking paddock. This included the formation of a car parking area accessed by the field gate from the BOAT.

### **4.2. The Revised Scheme**

This is for the 'change of use of agricultural land to dog walking paddock with the use of West Leith Farm existing car parking for customer/ visitor parking'. The originally proposed car park has been deleted.

4.3 A more recent change to the scheme has included the provision of a gate at the western end of the application site to enable users of the land to access this from the existing car park. This post date's the Planning Statement.

### **4.4 The Planning Statement**

This confirms amongst a range of issues:

- ☐ The use will operate upon a pre-booking basis for either a half hour or hour slot. The field will be booked exclusively for the dog(s) and their owners and only one owner(s) and their dog(s) may use the field at any one time. The field will only be used for the walking of dogs and not for training or dog classes.
- ☐ Parking will take place on an existing parking area which serves the farmyard. Access to the parking area will be along the existing farm entrance track. The area can accommodate at least 6 cars.
- ☐ No lighting is proposed and the activity will only take place during daylight hours. The hours of opening will be 8am-4pm in winter and 8am-7pm in summer weekdays and weekends.

4.5 Following dialogue with the Agent it was confirmed:

#### *The Disposal of Dog Mess*

As part of the use of the facility patrons will agree to bag up and take their dog mess away with them.

#### *Hours of Use*

The applicant has agreed that the facility will only be open 9am to 4pm during summer and winter months.

### *Traffic Generation*

The paddock will be hired out in 45 minute slots with 15 minute change over periods. Therefore, at full capacity (unlikely) the use will generate a maximum of 14 vehicular movements per day i.e 7 in and 7 out.

### *Number of Dogs*

A maximum of 3 dogs at anyone time.

### *Noise*

Any dogs that bark excessively will be excluded from using the site.

### *Temporary Permission*

If deemed necessary the applicant is agreeable to a temporary permission.

Note : There have been consultations upon the Original and Revised Schemes.

## **5. PLANNING HISTORY**

None

## **6. CONSTRAINTS**

Area of Outstanding Natural Beauty: CAONB outside Dacorum

Dacorum CIL Zone: CIL 2

Green Belt: Policy: CS5

Parish: Tring CP

RAF Halton and Chenies Zone: RAF HALTON: DOTTED BLACK ZONE

RAF Halton and Chenies Zone: Red (10.7m) Parking Standards: New Zone 3

Parking Standards: New 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 (2021)/ National Planning Policy Guidance

Dacorum Borough Core Strategy 2006-2031 (adopted September 2013)

Dacorum Borough Local Plan 1999-2011 (adopted April 2004)

Dacorum Borough Core Strategy 2006-2031 (adopted September 2013)

NP1 - Supporting Development  
CS1 - Distribution of Development  
CS5- Green Belt  
CS8- Sustainable Transport  
CS9- Management of Roads  
CS12- Quality of Design  
CS23- Social Infrastructure  
CS24- The Chilterns Area of Outstanding Natural Beauty  
CS25- Landscape Character  
CS26- Green Infrastructure  
CS27- Quality of Historic Environment  
CS29 - Sustainable Design and Construction  
CS32- Air, Soil and Water Quality  
Countryside Place Strategy

Dacorum Borough Local Plan 1999-2011 (adopted April 2004)

13 – Planning Conditions and Planning Obligations  
51- Development and Transport Impacts  
54- Highway Design  
58 - Private Parking Provision  
62- Cyclists  
79- Footpath Network  
80- Bridleway Network  
97- Chilterns Area of Outstanding Natural Beauty  
99- Preservation of Trees, Hedgerows and Woodlands  
100- Tree and Woodland Planting  
102- Sites of Importance to Nature Conservation  
108- High Quality Agricultural Land  
109- Farm Diversification  
113- Exterior Lighting  
Appendix 8- Exterior Lighting

Supplementary Planning Guidance

Chilterns Conservation Management Plan

Chilterns Design Guide

Dacorum Landscape Character Assessment: Area 111: Tring Scarp Slopes

Parking Standards (2020)

Environmental Guidelines

**9. CONSIDERATIONS**

**Main Issues**

9.1 The main planning issues in the determination of this application are:.

- Provision of Social Infrastructure in Dacorum.
- Green Belt Implications.
- The Chilterns AONB implications.

- The Impact upon Residential Amenity/Noise and Disturbance.
- The Access/ Highway Safety Implications.
- Ecological Implications.
- Economic Implications and Rural Enterprise.

9.2 These are set against the relevant policies, the submitted Planning Statement, the responses from the technical consultees and local representations.

### **The Provision of Social Infrastructure: Dacorum Core Strategy**

9.3 Policy CS23's (Figure 14) working definition of social infrastructure facilities includes outdoor leisure facilities. The proposal is in accordance with CS23 in providing the dog walking facility.

9.4 The National Planning Policy Framework's (The Framework) Part 8's 'Promoting healthy and safe communities' emphasises the importance of health, inclusive and safe places with reference to the role of open space and recreation space, reflecting its social objectives. Similarly, the Chiltern Conservation Board Management Plan's (CCBMP) recognises the AONB's important recreational role, with Policy SO2 encouraging the greater use of the AONB landscape to improve levels of physical and mental health and well being.

### **Green Belt Implications**

9.5 The Framework's Part 13 addresses 'Protecting Green Belt land'. Paragraph 133 explains the great importance of the Green Belt. The fundamental aim is to keep the land permanently open- 'the essential characteristics of Green Belts are their openness and their permanence'. Paragraph 134 clarifies that the Green Belt's 5 purposes include through criterion (c) the safeguarding the countryside from encroachment.

9.6 Paragraph 150 confirms that certain forms of development are not inappropriate in the Green Belt provided they preserve its openness and they do not conflict with the purposes of including land within it. These include through criterion (e) material changes of use such as recreation. The proposed recreational use is in accordance with Para 150, albeit business based.

9.7 Policy CS5 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. Small scale development can be supported including under its criterion (a) for a building for uses defined as appropriate in the Green Belt. This is subject to:

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

The policy is broadly consistent with the aims of those parts of the Framework.

9.8 The application site's pre submission enclosure by fencing has very significantly physically changed the openness of this part of the Green Belt, although installed as permitted development. It is considered that this fencing has resulted in a significant encroachment of the countryside to facilitate the carrying out the 'appropriate use' in the Green Belt.

9.9 In this context Hertfordshire Ecology has noted:

' The proposals to fence the dog walking paddock and horse track have already been implemented. The paddock fencing appears excessive, with substantial posts retaining standard high-tensile deer fencing, which seems rather unnecessary; there is no reason to keep deer out of this area (they wouldn't get anywhere near a field being used for dog walking) and dogs under control are unlikely to escape normal stock fencing. That said, most dogs are invariably out of control'.

9.10 Also, in terms of the impact upon openness, the proposed level of use would cause the resultant encroachment of the countryside from additional concentrated parking and vehicular movements.

9.11 However, on balance, given the proposal's recreational role, the role of farm diversification and support for rural economy (see 'Economic Implications and Rural Enterprise' below), it is considered that these represent very special circumstances to substantiate a case for the proposal in the Green Belt.

### **The Chilterns AONB Implications including Noise/ Tranquillity**

9.12 There is a need to consider the implications of the development with reference to the expectations of the Framework's Part 15 (Conserving and enhancing the natural environment).

9.13 The application's consideration is set against Dacorum Core Strategy Policies CS1, CS24, C25 and CS27, the Countryside Place Strategy, saved DBLP Policy 97, the Chilterns Conservation Management Plan and Dacorum Landscape Character 111 Assessment Area Strategy.

9.14 The relevant development plan policies are considered to be in accordance with the Framework's Paragraph 174 that planning decisions should contribute to and enhance the natural environment, specifying a range of criteria. Para (e) refers to preventing existing development from being adversely affected by unacceptable levels of noise which is referred to later.

9.15 The Framework refers to the role of AONBs through Paragraph 176, reflecting the expectations of the CROW Act:

'Great weight should be given to conserving and enhancing landscape and scenic beauty in ... Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight ... The scale and extent of development within all these designated areas should be limited'.

9.16 To reiterate, there are significant reservations regarding the impact of the fencing. However, as it has been installed as 'permitted development' it would not be feasible to resist the application based upon the harmful effect of the fencing per se. There would be increased activity. However it is acknowledged that the dog walking itself can be limited in scale/ intensity to one being of relatively low key, and secondly the provision of the facility is in accordance with the Chilterns Conservation Board Management Plan's recognition of the AONB's recreational role ( Part 9 : Social and Economic Well- Being; Strategic Objectives SO1, SO2, Policy SP7).

9.17 The Framework's Para 174 (e) refers to preventing existing development from being adversely affected by unacceptable levels of noise.

9.18 Maintaining the AONB'S tranquillity is most important, as expressed through the CCBMP's Part 10 ' Development' (p72, Strategic Objectives D01, DO2 Policies DP1 and, DP2). This approach is reinforced by Para 26.19 of the Core Strategy's Countryside Place Strategy –'the tranquillity of the countryside will be recognised and protected' .

9.19 The West Leith location is characterised by its tranquillity and any change involving increased activity including more traffic generation would affect the intrinsic quality of this part of the AONB, and is further addressed below.

### **Impact upon Residential Amenity/ Noise/ Disturbance/ Traffic**

9.20 This is set against the above. Policies CS9 , CS12, CS32, the Chilterns Conservation Management Plan and the Countryside Place Strategy and the NPPF, including Paragraph 85.

## Agent's Planning Statement

9.21 In support of the application the Planning Statement confirmed the following which pre dated the Agent's update at Paragraph 4.5:

'Policy CS12 of the Core Strategy requires amongst other things that developments should avoid visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to surrounding properties. The proposal is for a low key form of development which will only be used by one dog owner(s) and their dog(s) at a time who have booked in advance. It is not expected that there will be more than 4 dogs in the paddock at any one time.

The nearest property to the site is Five Hills Cottage, the flank boundary of which is around 8m to the west of the site. This property sits at a similar level to the proposal site and has a well-established hedge along its shared boundary. Therefore, users of the site would not compromise the privacy of the private garden space to the rear of this dwelling. No buildings are proposed and the existing levels of sun and daylight would not be altered by the proposal. The main issue would be one of potential noise generated by vehicle movement, the individuals visiting the site and dogs barking. As already pointed out, the proposal will only be used by one dog owner(s) and their dog(s) at a time and solely to walk their dogs. No training classes for dogs or dog agility training is proposed or will be allowed. Consequently, as the dogs will be with their owners and only dogs with whom they are familiar, it is not considered that there will be any excessive or prolonged periods of barking.

Regarding noise from vehicles and individuals using the site it will be a requirement of the use of the site that the amenity of nearby properties will be respected at all times and that if users dogs are making any excessive noise that they will be expected to leave the site. As for vehicular noise it is only expected that a maximum of 2-cars will be entering and leaving the site at anyone time and in most instances it will only be one as users change over at the end of each session.

Therefore, it is not considered that the development would have any adverse effect upon the residential amenities of neighbouring properties and that the proposal accords with policy CS12'.

## Overview

9.22 There would be a significant increase in activity which will affect the existing tranquil environment. However, in accommodating some change to support recreational uses there should be at least some level of pragmatism.

9.23 In viewing the relationship of the proposed dog walking area with Five Hills Cottage there is need for a far more precautionary approach, with due regard to the Environmental and Community Protection Team's response.

9.24 The proposal involves an intense use of land. There would be some resultant noise/ activity associated with the use affecting Five Hills Cottage, notwithstanding that the strip of land/ grass track separating the fenced area from the elongated common boundary would create a buffer.

9.25 There is the associated issue of the loss of privacy for the dwelling due to the difference in levels and the closeness of flank wall windows.

9.26 Given the application site's relationship with Five Hills Cottage and the size of the application site, there is the clear opportunity to establish a much wider physical buffer between the site and the common boundary with Five Hills Cottage. In addition to the parallel field track a recommended condition specifies an additional 30m buffer, enabling the wider detachment of application site from Five Hills Cottage. Given the size of the proposed dog walking paddock, this reduction in size should not adversely affect the recreational role of the land.

9.27 Also, there is the requirement to consider the impact upon the residential amenity of the housing at The Barns facing onto the access road leading to the parking area at West Leith. This is with reference to increased vehicular movements and the level of associated resultant noise, disturbance and privacy. By restricting the hours of use the impact of headlamp glare would be limited.

9.28 It is considered that there is a need for the most careful and comprehensive consideration of the impact of the use of the paddock in terms of the impact upon residential amenity of the locality and the need to conserve the existing tranquillity of this part of the AONB, but to reiterate with some degree of pragmatism.

9.29 This can be addressed by a temporary and personal permission of 15 months with reduced hours, no use at weekends and the establishment of a wider buffer, as referred to by the recommended conditions. The initial use could be reviewed after this period requiring the Applicant to keep daily records of the use and for the LPA to visit the site. This approach is with due regard to the 6 tests for the imposition of conditions.

### **Access/ Highway Safety/ Parking Implications**

#### General

9.30 The Framework's Para 111 confirms that development should only be prevented on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

9.31 Notwithstanding the form of the access to West Leith Farm, there has been no objection from HCC Highways, with a precautionary caveat regarding the Rights of Way Officer's comments.

9.32 At a lower level of use as referred to above, the impact of vehicular movements would be reduced. This takes into account the expectations of Policy CS9 whereby in the countryside there is a requirement to consider the effect of new development and traffic upon the safety and environmental character of country lanes. A temporary permission would enable the LPA, Rights of Way Officer and LPA to independently and collectively assess the impact. Fewer vehicular movements would benefit walkers along West Leith.

#### Emergency Access

9.33 An informative addresses the importance of the Applicant contacting Hertfordshire Fire & Rescue Service before the use's commencement, to ensure that the emergency services are familiar with the changed circumstances.

#### Relationship with the BOAT

9.34 The Framework's Para 100 confirms that planning policies and decisions should protect and enhance public rights of way.

9.35 There were objections from the Rights of Way Officer to the Original Scheme. However, as there is no evidential base to substantiate this, it is questionable whether there would be a case to refuse the application for this reason.

9.36 As confirmed a temporary permission with reduced vehicular movements to no more than 14 per day would limit the impact and enable the Rights of Way Officer the opportunity to fully evaluate the impact with evidence.

#### Sustainable Location



9.37 The proposal is near to Tring and therefore it is expected that most users will be from a relatively local catchment area, but there is most likely to be the heavy reliance upon private vehicles to transport the dogs. In this respect it is difficult to directly reconcile the location/ use with Framework's Paragraph 85 as referred to under Economic Implications and Rural Enterprise'.

9.38 A temporary permission with a full record of the each visit would enable to assess whether the use can be supported in the longer term in respect of being a sustainable location

#### Parking / Access for Persons with Disabilities/ Limited Mobility

9.39 The use of the existing parking area is appropriately located in relation to the field. The car park can accommodate at least 6 cars which is more than adequate given the number of users at any one time with only 2 spaces necessary. With some help a person(s) with disabilities/limited mobility could access the paddock.

### **Ecological Implications**

#### The Change of Use of the Land

9.40 This is set against the site conditions, Policy CS26 of the Dacorum Core Strategy (2013), saved DBLP Policies 97 and 102, National Planning Policy Framework Part 15 and the Chilterns Conservation Board Management Plan in this AONB setting. Policy CS24 expects development will have regard to the policies and actions set out in the Chilterns Conservation Board Management Plan. The Planning Statement also confirms that the applicant has already planted additional hedging around the site and if necessary more landscaping could be carried out.

9.41 In summary Hertfordshire Ecology raises no objections with due regard to the site's relationship with the Tring Woodlands Stubbings Wood SSSI - 'have no reason to believe the change of use to a dog walking paddock will have any ecological impact sufficient to justify refusal of this application on the grounds of ecology. It may therefore be determined accordingly'.

9.42 If a permanent planning permission was granted it would be expected that there would be additional planting in the interests of ensuring ecological enhancements.

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

9.43 As in the case of Hertfordshire Ecology's response Natural England's response pre dates the moratorium imposed on 14 March 2022. In this respect the LPA did not consult NE, with NE contacting the LPA.

9.44 The planning application is within the Zone of Influence of the Chilterns Beechwoods Special Area of Conservation. 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.

9.45. The site is located within the 500m Exclusion Zone for Tring Woods SSSI). The Footprint Ecology report recommends a 500 metre exclusion zone for net new residential development around Ashridge Commons and Woods SSSI and Tring Woodlands SSSI. Within the Exclusion Zone it is likely that such proposals will be refused. There is a heightened risk to the designated sites from development that is in close proximity to them. Recreational use is much higher from homes that are in easy walking distance of the site, and it is considered very difficult to deflect such access with alternative greenspace. Fire risk, fly-tipping, light and noise and other urban effects are also more acute close to their boundary. Furthermore, mitigation approaches, such as access management and warden control, are less effective. It is considered that there is unlikely to be a significant direct effect to the SAC and therefore an appropriate assessment is not required in this case. The reason for this is that it is expected that visitors to the facility would be local, the visits

would be primarily limited to taking the dogs to the application site from the local area for a restricted period for each visit and not to the SAC before or afterwards.

### **Economic Implications and Rural Enterprise**

9.46 The introduction of the facility would enable West Leith Farm to diversify in accordance with the economy related policies.

9.47 The Core Strategy's Strengthening Economic Prosperity Strategic Objectives include the promotion of a vibrant and prosperous economy and supporting rural enterprise. This is expressed through Para. 11. 10 and the Countryside Place Strategy and Policy CS5.

9.48 The approach is reinforced through the Chiltern Management Plan's 'Social and Economic Well Being'. Its Strategic Objective S01 expects the economic and social well being of local communities and businesses, through supporting the development of the visitor economy and improving community facilities. Policy SP4 refers to rural diversification that adds to the value of the local economy.

9.49 These policies are consistent with the Framework's economic objective in delivering sustainable development and its Part 6- 'Building a strong competitive economy'. In 'Supporting a prosperous rural economy' Para 84 notes:

' Planning policies and decisions should enable:

a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;

b) the development and diversification of agricultural and other land-based rural businesses

c) sustainable rural tourism and leisure developments which respect the character of the countryside; and

d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship'.

9.50 Para 85 notes:

'Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist'.

9.51 Para 85's caveat is significant. In balancing supporting the Farm's diversification it must be recognised that the site is a not particularly sustainable location and the use must be low in terms of its environmental impact.

9.52 A temporary and 'personal' planning permission for the Applicant at West Leith Farm would enable the opportunity to more comprehensively assess the environmental impact.

### **Other Matters**

*Crime Prevention/ Security*

9.53 There are no objections from Hertfordshire Constabulary.

#### *Exterior Lighting*

9.54 Given the specified hours of use, there is unlikely to be a requirement for exterior lighting. This is with reference to the site's location within a sensitive E1 Zone set against Policies CS5, CS24, CS29, CS32, saved DBLP Policies 97, 113 and Appendix 8 and the CCBMP which takes a very precautionary approach to exterior lighting and the need to control light pollution, all of which policies are in accordance with the Framework's Para 185 (c).

#### *Contamination*

9.55 The Environmental and Community Protection Team has raised no objections.

#### *Drainage for the Car Park*

9.56 There are no proposals. It is understood that this has been provided over a septic tank serving The Barns. There would be a need for the Applicant to establish whether there would be any adverse engineering impact.

#### *Air Limits Issues*

9.57 There are none.

#### *Representations upon the Application*

9.58 It is considered that as far as is feasible the planning issues raised have been addressed where appropriate.

#### *Conditions: Restrictions Upon the Use*

9.59 This is with reference to the established 6 tests for planning permissions. As confirmed it is considered that there is a need for a precautionary approach to review and control the environmental implications. In this respect a range of conditions are essential which are more restrictive upon the use than originally submitted, and have been recently outlined to the Agent which is in accordance with how LPAs are expected to engage in the development management process.

9.60. Accordingly, in recommending planning permission, this is on the following basis:

- Temporary (15 months ) and specific/only to the occupiers of West Leith Farm.
- Limitation to a maximum of 3 dogs and one owner for each booking for use of the whole of the application site at any time and there shall be no more than 7 vehicle movements to and from the site in any one day by visitors.
- Level of Use. Only between 10.00 and 15.00 hours Mondays to Fridays each week and therefore not during Saturdays and Sundays.
- No loudspeaker system and music used in connection with the use and no exterior lighting shall be installed.
- No parking of vehicles within the field to be used for the dog training and access to the area for all users shall only be from the gate shown by the approved plan.
- A 30 metre wide area of land inside and lying parallel with the north western boundary of the land coloured green by Plan No. PH/LB 002/B shall be demarcated to permanently exclude any dog

walking use. This land shall be demarcated physically before the first use fully in accordance with details to be submitted to and approved in writing by the local planning authority.

-A long term site cleaning management scheme shall be submitted to and approved by the local planning authority within 1 month of the first use of the application for the use hereby permitted.

## 10. CONCLUSION

10. 1 This is not a straightforward application with objections from the Town Council and the local community to the Original and Revised Schemes.

10.2 The proposal would enable the Farm to diversify, providing local need for dog walking facilities in a countryside rather than urban location. It is important to consider this with reference to the Core Strategy's support for rural enterprise. The recreational use is appropriate development in the Green Belt, with a business element/ diversification representing very special circumstances. The proposal would be in accordance with the economic and social objectives in delivering sustainable development.

10.3 The caveat to supporting the rural enterprise is so long as there is no harmful environmental impact in accordance with the Framework's environmental objective.

10.4 The pre application installation of the fencing to enclose the application site as 'permitted development' has significantly harmed the openness of this part of the Green Belt.

10.5 The fencing has similarly harmed the character and appearance of this part of the AONB, because of its scale and visibility. The deletion of the initially proposed car park has however diluted the impact of the development- the car park was fundamentally unacceptable in this sensitive location harmful to the AONB and the residential amenity of Five Hills Cottage.

10.5 At this stage there remain a series of 'unknowns'. A development of the initially proposed scale would have been environmentally unacceptable in a relatively/ not particularly unsustainable location in terms of the level of activity and vehicular movements.

10.6 A lower scale use would reduce the environmental impact, but still enabling West Leith Farm to diversify.

10.7 On balance, an initial precautionary temporary 15 month permission personal to the Applicant with a range of workable limitations upon the use as referred by the recommended conditions, would enable the LPA to review its initial impact in this very sensitive tranquil location in the AONB .This initial period would enable the Applicant to maintain records of the use, consider how it could be adapted etc. and for the LPA, Rights of Way Officer and HCC Highways to review the initial impact.

10.8 As much of the physical infrastructure is in place, a temporary and personal permission for the very robust reasons would enable the Applicant to commence the use without major additional investment. This is because the fencing is in place and the original car park has been deleted and at this stage a soft landscaping condition is not considered appropriate.

11. **RECOMMENDATION** - That temporary planning permission be **GRANTED** subject to the following 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. **The use of the land hereby permitted shall only be for the walking of dogs and not for training or dog classes and shall be discontinued on or before 15 months from the date of this decision and this permission is only to be operated by the occupiers of West Leith Farm.**

Reason: In the interests of the residential amenity of the locality and the Chilterns AONB in accordance with Policies CS5, CS12, CS24 and CS32 of Dacorum Core Strategy (2013) , saved Policy 97 of Dacorum Borough Local Plan (2004), the Chilterns Conservation Management Plan 2019 to 2024 and Part 15 of the National Planning Policy Framework.

3. **There shall be a maximum of 3 dogs and one owner for each booking for use of the whole of the application site at any time and there shall be no more than 7 vehicle movements to and from the site in any one day by visitors when the application site is being used for the development hereby permitted.**

Reason: In the interests of the residential amenity of the locality and the Chilterns AONB in accordance with Policies CS5, CS12, CS24 and CS32 of Dacorum Core Strategy (2013) , saved Policy 97 of Dacorum Borough Local Plan (2004), the Chilterns Conservation Management Plan 2019 to 2024 and Part 15 of the National Planning Policy Framework.

INFORMATIVE : During the temporary use it will be essential that the Applicant records each days level of use for both the number of dogs and vehicular movements.

4. **Notwithstanding the submitted details, the use hereby permitted shall only be between 10.00 and 15.00 hours Mondays to Fridays each week and therefore not during Saturdays and Sundays.**

Reason: In the interests of the residential amenity of the locality and the Chilterns AONB in accordance with Policies CS5, CS12, CS24 and CS32 of Dacorum Core Strategy (2013) , saved Policy 97 of Dacorum Borough Local Plan (2004), the Chilterns Conservation Management Plan 2019 to 2024 and Part 15 of the National Planning Policy Framework.

5. **There shall be no loudspeaker system and music used in connection with the use hereby permitted and no exterior lighting shall be installed.**

Reason: In the interests of the residential amenity of the locality and the Chilterns AONB in accordance with Policies CS5, CS12, CS24 and CS32 of Dacorum Core Strategy (2013) , saved Policies 97, saved Policy 113 and Appendix 8 of Dacorum Borough Local Plan (2004), the Chilterns Conservation Management Plan 2019 to 2024 and the National Planning Policy Framework Paragraph 185(c).

6. **There shall be no parking of vehicles within the field to be used for the dog training and access to the area for all users shall only be from the gate shown by the approved plan.**

Reason: In the interests of the residential amenity of the locality and the Chilterns AONB in accordance with Policy CS12, and CS32 of Dacorum Core Strategy (2013).

7. **A 30 metre wide area of land inside and lying parallel with the north western boundary of the land coloured green by Plan No. PH/LB 002/B shall be demarcated to permanently exclude any dog walking use. This land shall be demarcated physically before the first use fully in accordance with details to be submitted to and approved in writing by the local planning authority.**

Reason: In the interests of the residential amenity of the locality in accordance with Policies CS12 and CS32 of Dacorum Core Strategy (2013).

8. **A long term site cleaning management scheme shall be submitted to and approved by the local planning authority within 1 month of the first use of the application for the use hereby permitted.**

Reason: In the interests of the residential amenity of the locality in accordance with Policy CS32 of Dacorum Core Strategy (2013).

9. **Subject to the other conditions of this planning permission the development hereby permitted shall be carried out in accordance with the following approved plans:**

**Location Plan**

**PH/LB 002/B**

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

**Informatives:**

1. Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.
2. Obstruction of public highway land: 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 website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and 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 are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway.

3. Contact with Hertfordshire Fire & Rescue Service

It is expected that Hertfordshire Fire & Rescue Service is contacted before the use is commenced to ensure that arrangements are agreed in the event that emergency services are required to access the site.

**APPENDIX A: CONSULTEE RESPONSES**

Consultee	Comments
Parish/Town Council	<p>ORIGINAL SCHEME</p> <p>The Council recommended REFUSAL of this application on the following grounds: change of use is inappropriate in a rural location; the existing access is a lane used for walking, cycling and is a bridleway; no additional access is required; build up of toxicity in soil should be avoided; plans for waste disposal are inadequate; fencing within the AONB and green belt should be avoided to allow undisturbed access for wildlife</p>
Parish/Town Council	<p>REVISED SCHEME</p> <p>Tring Town Council recommended REFUSAL on the same grounds as the previous application given that the amendment has not alleviated any of the concerns raised. Also, one of the additional plans on the portal still shows a turning circle and parking for 2 cars at the original location.</p>
Hertfordshire Highways (HCC)	<p>ORIGINAL SCHEME</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 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) Obstruction of public highway land: 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.</p>

	<p>Further information is available via the website <a href="https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx">https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx</a> or by telephoning 0300 1234047.</p> <p>AN) Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and 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 are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway.</p> <p><u>Comments</u></p> <p>The site is accessed via West Leith, which is designated as an unclassified local access road, subject to a speed limit of 30mph and is highway maintainable at public expense. The stretch of West Leith fronting the site itself is part of Byway Open to All Traffic 075 as shown on the Definitive Map of Public Rights of Way in Hertfordshire.</p> <p>The proposals do not include any new or altered access from the highway on West Leith with the proposals utilising an existing agricultural access. The proposals do include a new hardstanding area within the site with space for two vehicles to park and turn around and egress to the highway in forward gear. Following consideration of the details as submitted in the planning statement, HCC as Highway Authority would not have an objection to the proposals in this respect.</p> <p>It is recommended that clayton,rae@dacorum.gov.uk is consulted in respect of the proposals due to the presence of the BOAT. This is to ascertain whether or not there are any objections or comments in this respect. HCC as Highway Authority would not wish to object to the proposals although this is subject to the inclusion of the above highway informatives, which the applicant would need to aware of throughout any construction and use of the site.</p>
<p>Hertfordshire Highways (HCC)</p>	<p>REVISED SCHEME</p> <p>Decision</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</p>



provisions of the Highway Act 1980:

AN) Obstruction of public highway land: 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 website

<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) Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and 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 are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway.

#### Comments

The site is accessed via West Leith, which is designated as an unclassified local access road, subject to a speed limit of 30mph and is highway maintainable at public expense. The stretch of West Leith fronting the site itself is part of Byway Open to All Traffic 075 as shown on the Definitive Map of Public Rights of Way in Hertfordshire.

The proposals do not include any new or altered access from the highway on West Leith with the proposals utilising an existing agricultural access. The amended proposals do not include a new hardstanding area within the site but there would be space for vehicles to park and turn around and egress to the highway in forward gear. Following consideration of the details as submitted in the planning statement, HCC as Highway Authority would not have an objection to the proposals in this respect although the applicant would need to be aware of the above informative (in relation to mud and deposits on the highway) at all times.

It is recommended that [clayton,rae@dacorum.gov.uk](mailto:clayton,rae@dacorum.gov.uk) is consulted in respect of the proposals due to the presence of the BOAT. This is to ascertain whether or not there are any objections or comments in this respect.

HCC as Highway Authority would not wish to object to the proposals

	<p>although this is subject to the inclusion of the above highway informatives, which the applicant would need to aware of throughout any construction and use of the site.</p>
Trees & Woodlands	<p><b>ORIGINAL SCHEME</b></p> <p>According to the information submitted the applicant advises no trees will be detrimentally impacted by the development. I have examined the information and can confirm no trees are affected and subsequently have no objections to the application being approved.</p>
Trees & Woodlands	<p><b>RESPONSE TO ISSUES REFERRED TO BY NATURAL ENGLAND</b></p> <p>The dog walking area in question is fenced but has a 3 / 4 metre grassland zone all round it between the SSSI and the Byway leading up to the woods.</p> <p>The vegetation in question comprises lapsed hedge, trees and lapsed wood bank trees (SSSI) and all appears situated outside the application site. There is no evidence of any hedge or trees cutting.</p>
Environmental And Community Protection (DBC)	<p><b>REVISED SCHEME: AMENITY</b></p> <p>I refer to the above application.</p> <p>I believe we commented on previous submission which was no objection in principle. I noted the D&amp;A statement proposes 4 dogs maximum, whereas ECP may have suggested a limit of 3 previously?</p> <p>We have no overriding objection to no more than 4 dogs at any one time, and to condition the development on this basis.</p> <p><b>CONTAMINATION</b></p> <p>Having reviewed the application submission and the ECP 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>
Chilterns Conservation Board	<p><b>THE CHILTERN SOCIETY</b> (Please Note this has been completed on behalf of the Chiltern Society and not the Chiltern Conservation Board)</p> <p>I write on behalf of the Chiltern Society to object to the revision made to this planning application. The car park has been relocated.</p> <p>I still object to the noise amenity consequences of the 'commercial' use</p>

of the dog walking area in such close proximity to nearby houses.

This proposal additionally transfers noise amenity issues to the shared access with West Leith Barn and other residences.

The proposed car park is in close proximity with the barn and will link to the dog walking area by a track.

It is to be noted that excavation works for the car park have already occurred in breach of planning. However it is quite foreseeable that taking out dogs (many of whom will be anxious) from cars, is likely to cause barking in close proximity to the barn and other residences nearby.

Further it is foreseeable that car doors will be banged and that sometimes car radios and music will be played. This activity cannot be excused on the basis that agricultural use can create noise, since the former is a green belt permitted use.

This 'commercial' use is certainly not a greenbelt one and is against the interests of the AONB. The Chilterns Conservation Board at page 10 of THE CAONB Management Plan rightly advises that the Chilterns haven't 'Relative TRANQUILLITY and peace on the doorstep of TEN MILLION PEOPLE in one of the most accessible protected landscapes in Europe'. Those who live in the locality of this proposal have chosen to live there, in large measure, because it is within an AONB.

The proposal counter to the objectives of paragraphs 174 and 176 of the NPPF and in my view contrary to the objectives of the policies recited by the CCB in relation to its Management Plan.

There will continue to be under this proposal as with the original one, a traffic conflict up to the point of the shared access on the single track West Leith. This conflict will affect existing residents with their own traffic movements, as well as the movements of waste disposal, postal, newspapers delivery and emergency vehicles and of horse riders and their horses. Additionally it will be contrary to the interests of the numerous walkers (many of whom are young children).

However, that systemic road use will of itself help to adversely affect the AONB.

I would respectfully ask you to refuse this application.

<p>Chilterns Conservation Board</p>	<p>Thank you for consulting the Chilterns Conservation Board. This application is a matter which, under the CCB consultation protocols we would not ordinarily comment upon (see page 72 of the AONB Management Plan 2019-2024). The duties and responsibilities within the AONB are set out below and we would recommend the LPA gives weight to the Management Plan policy DP2, especially.</p> <p>The CCB would propose to make brief comments only and the LPA determines the application in accordance with the NPPF at 172, the CROW duty of regard, adopted Dacorum Local Plan and the Management Plan (to which weight may be attached, as set out in Planning Practice Guidance).</p> <p>The LPA will want to be assured that this is not a species rich meadow . The meadow to the north, Front Field, West Leith Farm, is a Hertfordshire Wildlife Site, the woodland to the SW is ancient woodland and BBOWTs Dancers End SSSI is also to the south west. CCB does not, however have any records within the West Leith triangle.</p> <p>Other matters to consider will be parking and any associated movement issues.</p> <p>The Board recommends that the decision-maker takes into account the following:</p> <ul style="list-style-type: none"> <li>- The Chilterns AONB Management Plan (<a href="http://www.chilternsaonb.org/conservation-board/management-plan.html">http://www.chilternsaonb.org/conservation-board/management-plan.html</a>), which deals with the special qualities of the Chilterns and the development chapter notes that 'the attractiveness of the Chilterns' landscape is due to its natural, built and cultural environment. It is not a wilderness but countryside adorned by villages, hamlets and scattered buildings'.</li> <li>- Policy DP2 states, ' Reject development in the AONB unless it meets the following criteria: a. it is a use appropriate to its location, b. it is appropriate to local landscape character, c. it supports local distinctiveness, d. it respects heritage and historic landscapes, e. it enhances natural beauty, f. ecological and environmental impacts are acceptable, g. there are no detrimental impacts on chalk streams, h. there is no harm to tranquillity through the generation of noise, motion and light that spoil quiet enjoyment or disturb wildlife, and i. there are no negative cumulative effects, including when considered with other plans and proposals. Policy DP2 sets out what to consider in order to give great weight to conserving and enhancing the AONB. It applies to all development in the AONB, both minor and major'.</li> </ul> <p>The Chilterns AONB is nationally protected as one of the finest areas of countryside in the UK. Public bodies and statutory undertakers have a statutory duty of regard to the purpose of conserving and enhancing the</p>
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	natural beauty of the AONB (Section 85 of CroW Act).
Rights Of Way (DBC)	<p>ORIGINAL SCHEME</p> <p>Summary</p> <p>Do not support this application which would utilise a narrow byway which, already has several residencies on it and seriously affect the aesthetics of the area/neighbouring SSSI.</p>
Environmental And Community Protection (DBC)	<p>ORIGINAL SCHEME: AMENITY</p> <p>No objection in principle to this development.</p> <p>Noise may be a material issue due to the nature of the operation. In the supporting material it refers to an exclusive hire, i.e. only one dog walker at a time. To minimise any possible noise issues I would suggest a condition which limits the number of dogs per hirer to no greater than 3 at any one time.</p> <p>ORIGINAL SCHEME : CONTAMINATION</p> <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>
Environmental And Community Protection (DBC)	<p>REVISED SCHEME: AMENITY</p> <p>I refer to the above application.</p> <p>I believe we commented on previous submission which was no objection in principle. I noted the D&amp;A statement proposes 4 dogs maximum, whereas ECP may have suggested a limit of 3 previously?</p> <p>We have no overriding objection to no more than 4 dogs at any one time, and to condition the development on this basis.</p> <p>CONTAMINATION</p> <p>Having reviewed the application submission and the ECP 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>Crime Prevention Design Advisor</p>	<p>ORIGINAL SCHEME</p> <p>I have no comments in relation to security.</p> <p>Kind Regards,</p> <p>Sophie</p> <p>Sophie Groombridge</p>
<p>Crime Prevention Design Advisor</p>	<p>REVISED SCHEME</p> <p>No further comments</p>
<p>Hertfordshire Ecology</p>	<p>Thank you for consulting Hertfordshire Ecology on the above application, for which I have the following comments:</p> <ol style="list-style-type: none"> <li>1. The application site forms part of an Ecosite (West Leith Farm Fields 51/057/02) within the Hertfordshire Environmental Records Centre, which indicates there is some information of local value worthy of retaining a site within the database. However, there is nothing to indicate there is any significant ecological interest within the application site, especially given that the site to the east has been identified as a Local Wildlife Site from what is likely to have been the same original survey information. The application site and adjacent fields to the west appear species-poor when viewed from adjacent paths.</li> <li>2. The proposals to fence the dog walking paddock and horse track have already been implemented. The paddock fencing appears excessive, with substantial posts retaining standard high-tensile deer fencing, which seems rather unnecessary; there is no reason to keep deer out of this area (they wouldn't get anywhere near a field being used for dog walking) and dogs under control are unlikely to escape normal stock fencing. That said, most dogs are invariably out of control. However, the fencing in itself has little direct ecological impact on the grassland for which I have no reason to believe has any significant ecological interest. It would, in any event, have been subject to whatever grazing management was previously or proposed to be undertaken, with little or no control other than an agricultural EIA or agri-environment scheme which this land is not subject to.</li> <li>3. The paddock fencing is approximately 5m from the SSSI boundary (assuming this to be the bottom of the embankment) and therefore will not affect any of the mature trees which are along the top of the large bank. The smaller fencing for the horse track is adjacent to the bottom of the bank but has also not impacted upon any of the SSSI vegetation.</li> <li>4. The paddock will not be accessible for deer although this is no different to exclusion areas for new tree planting (such as on the SE side of Tring Woods SSSI), although deer are not of any conservation</li> </ol>

concern. Other mammals such as badger could create a scrape beneath the fencing if necessary, although there is no current lack of grassland for potential foraging in this general area. I do not consider it will have any meaningful impact for other wildlife such as bats, birds or invertebrates.

5. The creation of a fenced track for horse riding around the edges of the site will have no special impact further to what could have been taking place already, if horses chose to walk or gallop around the edge of the field. However, this would have been under the guise of continued agricultural grazing. The provision of a formal, fenced horse track for leisure use could be considered as also requiring a change of use, as this use is no longer primarily agricultural grazing land.

6. Cutting of branches can be seen in photographs submitted to NE show impacts on the SSSI. Adjacent to the application site, I could only see two small/medium branches of ash which had been cut and one small branch of elder. None of the mature trees which are along the top of the bank which forms the SSSI boundary have been otherwise affected. The removal of any overhanging branches over the field edge from trees growing within the SSSI will have had no significant impact on the integrity of the SSSI or its ecological special interest. Some older cut branches on the bank of many years demonstrates this has happened before.

7. Further cutting of SSSI vegetation as seen in the photographs has not taken place adjacent to the application site, and so are not a consequence of this application. These include eight small/medium branches of beech which overhung the boundary bank of nettles and extended into the field. This will also have had no impact on the SSSI of any significance. The hedgerow works have effectively 'copparded' the ancient green-lane hedgerow stools - which will protect regrowth from deer browsing - and gaps have been planted up with hawthorn. This is an acceptable form of hedgerow management. It is also wholly outside of the application site and SSSI. There is no suggestion or indication that any trees or shrubs have been grubbed-up anywhere; no works have taken place from within the SSSI, and even if they had, this is not a planning matter. Any need for consent for such minor works is a matter entirely for Natural England.

8. Further new extensions of the horse track fencing also continue to provide a fenced track to the west, although this is beyond the application site. Where adjacent to the SSSI, this fence will also not have any damaging impact on the integrity of the SSSI, although it may initially limit some mammal access.

9. In respect of the special interest of the SAC, the primary reason for designation is the presence of *Asperulo-Fagetum* beech forest. This corresponds to NVC type W12 *Fagus sylvatica* - *Mercurialis perennis* woodland, but more calcareous stands of NVC type W14 *Fagus sylvatica* - *Rubus fruticosus* woodland may also conform to this habitat type. The two NVC types often occur together on a site. An Annex II

	<p>species is present as a qualifying feature, but is not a primary reason for site selection, which is Stag beetle <i>Lucanus cervus</i>. (Ref MAGIC). Neither of these special features will be directly impacted by the change of use proposals, the existing fencing works or be affected by their subsequent use. Consequently, whilst the fencing does represent a project close to the SAC, I do not consider there is a justifiable need to undertake a Habitats Regulations Assessment, as there is no significant effect on the special interest of the SAC.</p> <p>10. I consider the fencing works and land use proposals have degraded the local character of the edge of the woodland, which is to be regretted. However, there is no control over the former grazing use of this site, and the proposals and cutting works cannot be reasonably said to have impacted upon the special interest of the SSSI and SAC, at least any more than any past woodland management will have done, of the extensive recent tree planting and fencing adjacent to the SSSI on its SE boundary. Stag beetle is not mentioned in the SSSI citation for Tring Woods; it would not be affected by these proposals if it were present.</p> <p>11. It is claimed the neighbouring field edge is untouched. This may be so, but the field itself has recently been sold, subdivided by fencing and sold-on again to a multitude of owners, now with no easy means of influencing the management of this Local Wildlife Site. This issue appears to be of no concern locally but is potentially far more damaging to the ecological interests of the woodland and grassland. It is also wholly unrelated to this planning application.</p> <p>12. An agricultural EIA for the grassland is not relevant as the applicant is not proposing to improve the grassland for agriculture - the trigger for a potential EIA requirement; indeed, the proposals are for a change of use from agriculture. An EIA (agriculture) is also not a matter which in itself requires any form of planning consent.</p> <p>13. On the basis of the above, I have no reason to believe the change of use to a dog walking paddock will have any ecological impact sufficient to justify a refusal of this application on the grounds of ecology. It may therefore be determined accordingly. I do not see any justification for an HRA. However, there may be other amenity issues which the LPA may need to consider when determining this application.</p> <p>I trust these comments are of assistance.</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>
6	32	2	29	1



## Neighbour Responses

Address	Comments
<p>Parkview House Upper Tring Park Wigginton Tring Hertfordshire HP23 6FB</p>	<p>This proposal does not give an adequate assessment of traffic movements to the site, for what is clearly going to be a commercial operation. The narrow one way road is also a bridleway used by horse riders and walkers (including the regular use by scouts and cubs) and it is very foreseeable that people may park on it. The hard standing for parking does not appear large enough to facilitate such a commercial use. Any parking on on this single track road and its usage for this operation will be a road safety hazard in terms of accessibility by fire engines or ambulances.</p> <p>The commercial use could imperil the wild life and ecology to the neighbouring ancient woodland ( the trees on the boundary have already been cut back). There should be site visit from the relevant ecology consultative bodies.</p> <p>Further the low background noise levels in the location would make the inevitable noise from owners giving commands to their dogs and any barking, completely inappropriate. Some of those coming to the field may also picnic around the edge.</p> <p>This is a sensitive location in the Green Belt and within the AONB, with dwellings nearby. The Chiltern Society strongly objects.</p>
<p>Long Barn West Leith Tring Hertfordshire HP23 6JR</p>	<p>Objection is to the period of operation being too early and too late (08-19:00, including weekends) disturbing the local area. At the highest point before the woods the inevitable noise of barking will be broadcast across the neighbouring properties including all the Barns, and across the valley. This is out of keeping with an area which of course has working day noise from normal activities and agricultural activity, but not so early, late and at weekends.</p>
<p>Stubbins Barn 8 The Barns West Leith Tring Hertfordshire HP23 6JJ</p>	<p>There are several points that need addressing.</p> <p>The fencing that has already been put up is unsightly and out of keeping with the AONB, where we have been told only estate fencing is acceptable. It is highly visible from all directions, especially as existing ancient hedgerows running alongside footpaths to the west and south west of the property have recently been cut back to waist height. There is no sign of any replacement hedging being planted as screening.</p> <p>The entrance to the proposed parking area is at the end of a single track no through road, and is at the entrance to SSI Stubbings Wood, where the lane becomes a bridleway. Apart from existing traffic to and from the 19 properties in the lane, there are many cyclists and walkers, as well as horse riders, so any extra traffic will cause safety concerns and unwarranted congestion on the single track lane.</p> <p>The other concern is the long hours of operation 7 days a week and the noise issue from multiple barking dogs.</p> <p>The revised plans address the concerns about the entrance to the dog walking paddock being directly off the bridleway within an SSSI , but they do not address the concerns about the increased traffic and</p>

danger to other users of the footpaths and road, or the noise nuisance.

The revised plans bring traffic off the single track road (West Leith lane) onto an unmade up track, along which runs footpath 32A. Both the lane and the track/footpath are heavily used by walkers etc, increasingly so over the last 18 months. The turning out of the track/footpath back onto the lane also has poor visibility.

The danger to walkers/horse riders/cyclists is effectively going to be even higher with this revised route.

Regarding noise nuisance, the proposal states

"The proposal is for a low key form of development which will only be used by one dog owner(s) and their dog(s) at a time who have booked in advance. It is not expected that there will be more than 4 dogs in the paddock at any one time. "

but there is nothing to stop professional dog walkers turning up with groups of dogs, what checks are going to be made to ensure it is genuinely used by one dog owner and their own dog(s) ?

There is also no provision for any waste or foul sewage disposal.

Regarding the statement

"The site is well screened by existing buildings and trees and is barely visible from outside. The applicant has already planted additional hedging around the site and if necessary more landscaping could be carried out. Therefore, the development will not be visually intrusive and will not have any adverse effect upon the appearance and enjoyment of the AONB."

The site is highly visible, even more so since the ancient hedgerows bordering footpath 34 were hacked back, and there is no sign of additional hedging being planted.

Furthermore, the application says that work has not been started, but the unsightly and intrusive fencing and the cutting back of the ancient hedgerows were done before the initial application was made, and further work is now currently being done on digging out new paths for the revised plan.

Further to my previous comments logged on 15th July, I would also like to add these points.

The planning statement submitted has said in Conclusion :

"4.1 The proposal is for the creation of a private dog walking field and constitutes a recreational use which will not impinge or adversely affect the openness of the Green Belt and is a use that is considered to be appropriate within the Green Belt."

\*\*\*What this does not make clear is that this is not a "private" dog walking field, it is a commercial proposal to set up a business, with associated excess waste, noise and traffic, which is inappropriate in this AONB.

"4.4 There is an existing access into the farmyard which is served by West Leith Lane and which is capable of accommodating the small amount of additional traffic that would be generated by

	<p>the use. Vehicles would park on the existing Farm parking area which is capable of providing the 2 spaces required for the use. The use of the existing access and car park will not have any adverse impact upon the safety and convenience of the highway. "</p> <p>***If the business runs to capacity there could be 14,000 additional journeys annually to and from the site.</p> <p>As numerous people have already pointed out, West Leith Lane is single track with no pavements, and already heavily used by walkers, riders, cyclists so all these additional journeys will certainly have an adverse impact. The turn out from the farm access track back onto West Leith Lane is a blind turn which adds to the likelihood of accidents.</p> <p>This is a peaceful AONB, if permission for this business is granted it will be encouraging people from outside the area to drive here, going against the aims of Dacorum to be promoting use of public transport and green travel.</p>
<p>White Hill Centre White Hill Chesham HP5 1AG</p>	<p>REVISED SCHEME</p> <p>I write on behalf of the Chiltern Society to object to the revision made to this planning application.</p> <p>The car park has been relocated. I still object to the noise amenity consequences of the 'commercial' use of the dog walking area in such close proximity to nearby houses. This proposal additionally transfers noise amenity issues to the shared access with West Leith Barn and other residences. The proposed car park is in close proximity with the barn and will link to the dog walking area by a track.</p> <p>It is to be noted that excavation works for the car park have already occurred in breach of planning. However it is quite foreseeable that taking out dogs (many of whom will be anxious) from cars, is likely to cause barking in close proximity to the barn and other residences nearby. Further it is foreseeable that car doors will be banged and that sometimes car radios and music will be played. This activity cannot be excused on the basis that agricultural use can create noise, since the former is a green belt permitted use. This 'commercial' use is certainly not a green belt one and is against the interests of the AONB.</p> <p>The Chilterns Conservation Board at page 10 of THE CAONB Management Plan rightly advises that the Chilterns have 'Relative TRANQUILLITY and peace on the doorstep of TEN MILLION PEOPLE in one of the most accessible protected landscapes in Europe'. Those who live in the locality of this proposal have chosen to live there, in large measure, because it is within an AONB.</p> <p>The proposal runs counter to the objectives of paragraphs 174 and 176 of the NPPF and in my view contrary to the objectives of the policies recited by the CCB in relation to its Management Plan.</p> <p>There will continue to be under this proposal as with the original one, a traffic conflict up to the point of the shared access on the single track WestLeith. This conflict will affect existing residents with their own</p>

	<p>traffic movements, as well as the movements of waste disposal, postal, newspapers delivery and emergency vehicles and of horse riders and their horses.</p> <p>Additionally it will be contrary to the interests of the numerous walkers (many of whom are young children).</p> <p>However, that systemic road use will of itself help to adversely affect the AONB.</p> <p>I would respectfully ask you to refuse this application.</p>
<p>2 The Barns West Leith Tring Hertfordshire HP23 6JJ</p>	<p>Reasons why I have to object West Leith lane being used as a potential entrance to the field for dog walking business.</p> <p>West Leith is Single lane with already 3entrances for residents of the 12 Barns + 3 houses all coming out onto the lane with cars,</p> <p>Also highly popular with walkers, cyclists, Families, children, dogs often off leads, And of course Horses all heading to the woods.</p> <p>Residents know to be aware , but as there is no Significant signage at the bottom of the lane , strangers are unaware, there is one passing cut out half way up for cars extremely tight, hardly any room for walkers to stand aside, if footfall were to increase it would be dangerously tightened.</p> <p>With no passing areas top of the lane where the cars would park to enter the field for the activities.</p> <p>Finally ;</p> <p>I'm not opposed to having the venture in West Leith, it would be wiser to have the entrance in a safer place please</p>
<p>West Leith Barn West Leith Tring Hertfordshire HP23 6JR</p>	<p>In our opinion the change of use has already been instigated ,from a grazing field,overhanging woodlands cut down, a heavy duty tall wire fence and posts constructed a couple of months ago for a purpose.</p> <p>We live in an area of outstanding beauty(AOOB) and an area of archeological significance (AAS) as one heads up West Leith past 19 other households ( a mix of Rothschild properties) the road finishes before the 'field' entrance on a unfinished public footpath into Stubbins wood this is a very popular established footpath and bridle way. There is no provision for any road parking on West Leith or regular passing or turning , walking and riding traffic is constant and extra caution has to be taken by the 30 cars already living in West Leith.</p> <p>The field has a gate on the footpath for agricultural vehicle access, this route into the Chiltern Woodlands is so well used to walk to town or Tring Park/Hastoe/Wiggington.</p> <p>West Leith farm already stables horses for customers and this off course adds extra traffic every day.</p> <p>The field is surrounded by woods and fields that have public footpaths available for all dogs on or off leads.</p> <p>There are no businesses on Duckmore lane or West Leith it is purely residential.</p> <p>In summary our objections are:-</p> <p>Our concerns of additional traffic seven days a week on a small road.</p> <p>Information/ planning in regard to dog waste storage and collection.</p> <p>An increase of noise of traffic and dogs barking unsettling horses</p>

	<p>exercising. Loss of privacy and it would alter the surrounding neighbourhood and would not enhance the landscape in any way.</p> <p>We are the immediate neighbour to the proposed application. We write to object to the revision made to this planning application. We moved to this green belt of tranquility in West Leith twenty years ago and feel we must protect its future to remain a peaceful place to enjoy within the AONB which we share with the community of Tring and beyond.</p> <p>With the applications points of 2.0 and 4.4 considered, the following concerns have been raised:</p> <p>The revised application has changed the access and parking to the fenced site. Although not mentioned in the brochure, we share the 80 metres of unmade track to our home. This shared access between West Leith Barn, West Leith House and West Leith Farm, runs directly past my bathroom, living room, kitchen windows, where we have no fencing. This track is also a public footpath leading to Tring Woods and Wendover Woods and is frequently used by many pedestrians and community groups. The track is used by all utilities services including post and refuse. In addition, the track leads to our sewage works (gravity treatment plan) for 12 homes. This plan impacts the access, safety, and upkeep for all.</p> <p>The increase in traffic if the commercial venture went ahead would cause adverse effects to the area in noise (increased noise from cars, doors choosing, dogs barking) and visual pollution. The plan requests a seven day a week business and the deciduous hedging and rail fencing offers insufficient protection to this businesses activities. The noted traffic increase will impact the safety of a popular public footpath, this is a major concern for users safety.</p> <p>The revised entrance, access, and parking have the same significant concerns as the original application. Therefore, we respectfully ask for the refusal of this revised application.</p>
<p>Stud Farm West Leith Tring Hertfordshire HP23 6JR</p>	<p>My family and I (wife and three children) strongly object to this proposal as it is not line with the area, inadequate parking as well as the potential for this to lead to future development. The road up West Leith does not support this type of development and additionally, the noise associated with this proposal is out of keeping with the area especially as it is extremely close to the AONB. My family and I strongly object to this proposal.</p>
<p>Five Hills Cottage West Leith Tring Hertfordshire HP23 6JR</p>	<p>This is a summary of our main points of objection / comments on the proposal. A full letter has been submitted via email to the Planning Case Officer.</p> <p>The following summary breaks the objection to the application down into two discrete sections; Traffic /Access/Parking and Change of Use: --</p>

#### Objections to Traffic/Access/Parking

- The existence of the Permanent Traffic Regulation Order (PTRO) - "The Borough of Dacorum (Various Roads, Tring) (Prohibition of Driving) Order 1987" is enough in itself to stop non-agricultural vehicle access to the site via the proposed gate, and thus eliminate the need for additional parking.
- Safety for all users of the lane will be compromised due to the increased levels of traffic.
- Adequate Parking already exists, within the main yard of West Leith Farm. There is safe off-road walkways to the proposed site, thus eliminating the need for a new parking area and vehicle access to the proposed site.
- Proposed use of materials for the parking area would be an eyesore visible from surrounding footpaths, Stubbing's wood.
- West Leith Farm has plenty of other fields that are not in close proximity to neighbouring properties which should be considered, within short walk of the existing parking in the main yard.
- A possible 14,000 additional journeys annually to and from the site, with the associated environmental, and road safety implications. - This would be in direct conflict with the Dacorum Local Plan 2020 - 2038 - "We declared a Climate Emergency in July 2019 and, through this, have committed to reducing carbon emissions across Council activities to net zero by 2030. The declaration also places key responsibilities on the Local Plan to include all available measures to cut carbon emissions and reduce the impact on the environment."
- Questions over the visibility splays at the field entrance.

#### Objections to Change of Use of agricultural field

- Close proximity to Five Hills Cottage.
- Five Hills Cottage and curtilage will be subject to loss of privacy and overlooking.
- Five Hills Cottage and curtilage as well as all neighbouring properties will be subject to loss of residential amenity, increased noise levels associated with increased traffic levels.
- The proposed operating hours provide no respite for neighbouring properties.
- Visual intrusion from surrounding areas.
- The development would have a harmful impact on the rural character of the locality due to the introduction of inappropriate fencing (This has already been erected in preparation) and car parking, contrary to paragraph 172 of the National Planning Policy Framework. (NPPF)

- The proposed use would harm the relative tranquillity of a valued area of recreational and amenity value, contrary to paragraph 180 of the NPPF

- Alternative sites are available within West Leith Farm. The farm has plenty of other fields that are not in close proximity to neighbouring properties which should be considered. These area all within short walk of the parking in the main farmyard.

This is a summary. Full details/backup have been submitted by email to the Lead Planning Officer.

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21/01720/FUL - Revised Application - Comments of Objection

Following the late changes to the original application to relocate the parking, the following is a summary of our main points of objection. We would appreciate if these are taken into consideration when you are considering the proposed application.

- Safety for all users of the lane and track/footpath will be compromised due to the increased levels of traffic.

A possible 14,000 additional journeys annually to and from the site, with the associated environmental, and road safety implications. - This would be in direct conflict with the Dacorum Local Plan 2020 - 2038 - "We declared a Climate Emergency in July 2019 and, through this, have committed to reducing carbon emissions across Council activities to net zero by 2030. The declaration also places key responsibilities on the Local Plan to include all available measures to cut carbon emissions and reduce the impact on the environment."

- The new parking location is at the end of a shared unmetalled track, which is also a designated footpath ( TRING TOWN 032A) which is used by many walkers, thus has safety implications.

- Close proximity to Five Hills Cottage, and other properties adjacent to the proposed paddock and parking areas. None of which are the applicants.

- Five Hills Cottage and curtilage as well as all neighbouring properties will be subject to loss of privacy and overlooking.



- Five Hills Cottage and curtilage as well as all neighbouring properties will be subject to loss of residential amenity, increased noise levels

- The proposed operating hours are completely inappropriate in the rural residential setting and provide no respite for neighbouring properties.

- Visual intrusion from surrounding areas.

- The development would have a harmful impact on the rural character of the locality due to the introduction of inappropriate fencing (This has already been erected in preparation) and car parking, contrary to paragraph 172 of the National Planning Policy Framework. (NPPF)

- Close proximity (Shared boundary) with Tring Woodlands (SSSI).

- The proposed use would harm the relative tranquillity of a valued area of recreational and amenity value, contrary to paragraph 180 of the NPPF.

- Allowing this application to go ahead would set a precedence for other change of use requests from Agriculture to Commercial use of adjacent fields recently sold by the applicant.

- Policy DP2 states, ' Reject development in the AONB unless it meets the following criteria:

a. it is a use appropriate to its location.

b. it is appropriate to local landscape character.

c. it supports local distinctiveness.

d. it respects heritage and historic landscapes.

e. it enhances natural beauty.

f. ecological and environmental impacts are acceptable.

g. there is no harm to tranquillity through the generation of noise, motion and light that spoil quiet enjoyment or disturb wildlife.

Changing the use of a piece of agricultural pasture land for the purposes of a commercial business, that is flanked by historic SSSI woodlands (and home to countless species of flora and fauna, and frequented daily by species such as Deer, Bats, Owls, Red Kites, Buzzards, Kestrels, Green and Greater Spotted Woodpeckers, and Sparrow Hawks) and 130 year old Rothschild buildings, goes against many points in the Chilterns AONB DP2 policy on planning.

It is not appropriate to have a commercial business in this location, it is not appropriate to the local landscape and character, and has the opposite effect on local distinctiveness. It is not respectful to the local heritage and certainly does not enhance the natural beauty of West Leith. The increased noise, vehicle movements, and dogs running around a confined space on the edge of a ecologically diverse woodland (SSSI) is surely going to impact upon that, as well as increasing noise and motion. Thus definitely disturbing quiet enjoyment

and disturbing the wildlife, both in the woodlands and those species that frequent the field. (Some of which have now been denied access since the new perimeter and compound fencing have been erected)

- The long hours of operation, 7 days a week are totally unacceptable.
- A dog walking paddock is unwarranted in an area with miles of safe, off road footpaths.

This is a summary of the more detailed letter emailed to the Planning Case Officer.

#### Summary

The following summary breaks the objection to the application down into two discrete sections; Traffic /Access/Parking and Change of Use:  
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<p>Fennycroft Duckmore Lane Tring Hertfordshire HP23 6JP</p>	<p>While in principal we don't feel we can object to the business itself we do feel the need to highlight some problems and breach of restrictions.</p> <p>As we will not be directly affected I will not comment on the noise and smell pollution or the change of view or that is it an AONB. However we do live within a short walking distance and make the walk up to Stubbings Wood via West Leith daily, often with our children and wish to object on the following points.</p> <ol style="list-style-type: none"> <li>1. We are one of hundreds of daily walkers, horse riders and cyclists who use this access road legally and should be safe whilst exercising on it.</li> <li>2. There is restricted access leading up to the woods and only vehicles with access to property and agricultural vehicles are allowed.</li> <li>3. The proposed entrance not only breaches this restriction but it does not allow for a passing point anywhere so there will inevitably be reversing cars and damage to the hedgerows.</li> <li>4. The proposed gated entrance oversteps the restricted access and encroaches on to the woodland track by some distance.</li> </ol> <p>Fortunately there does seem to be a perfectly simple solution, the farm who have submitted the application have a wide drive and access already used by them and the people who stable horses there. It runs directly from the unrestricted road to the field in question and as far as we can see it would just mean changing the location of the gate. When this is their own legal access anyway I can't see any reason why the new access even needs to be considered, it can all be done from their own drive way.</p>
<p>West Leith Bungalow West Leith Tring Hertfordshire HP23 6JR</p>	<p>We OBJECT to this application.</p> <p>It is regretable that DBC have only notified Five Hills Cottage as part of the neighbour consultation process, whilst they are adjacent to the site and are affected the most by this application it has consequences for all the properties on West Leith.</p> <p>West Leith is a single track dead end road with seven access points for vehicle access for residents, most of these are concealed.</p> <p>There are two small passing bays at the lower end. There is no pedestrian path along the entire length which means that people have to mount, in places, steep banks to avoid traffic such as cars, vans, lorries etc.</p> <p>The lane is in constant use and is frequented by walkers, often in large groups, people with children and prams, horse riders, again, often in groups and cyclists who ride at speed along the length of West Leith especially at the entrance/exit to Stubbings Woods where the proposed entrance/exit for the site is. We also have three time a week, cubs and scouts groups who visit the woods via West Leith. Children can be seen running on ahead away from the adult supervisors. Given that the proposed entrance/exit of the site is set back and concealed from the entrance/exit to the woods this could prove dangerous for all concerned.</p>

At the start of the barn development on the left hand side there is a 'no vehicle' sign displayed, this sign is giving an order. Which is often ignored and drivers park their cars at the top near the entrance to the woods. Should this practise continue and planning is granted it will cause an obstruction, the area should be left clear for emergency vehicles, should they need to attend.

The proposed business hours of 7 days a week and 8-7 in summer is excessive and inconsiderate to residents.

The site in the last few months has had fencing erected and ancient hedging and trees that belong to Stubbings Wood have been cut back hard. Due to this removal the site is highly visible from the woods.

In Dacorum's 'Landscape Character Assessment, area 111' (the site is in this area) it says,

'Promote awareness and consideration of the setting of the ANOB and views to and from it, when considering development and land use change proposals of sites adjacent to the ANOB'

The site perimeter is approx. 8 meters away from the woods. It is the council's responsibility to preserve the conservation of woodland and to prohibit the setting up of a business that would prove detrimental to the character of an ANOB.

Dacorum Borough Council cannot mitigate the damaging effect of a potentially large increase in traffic and associated fume pollution along with potential dog barking 7 days a week and 11 hours a day.

The Woodland Trust report, 'Impacts of nearby development on the ecology of ancient woodlands' highlights noise contributes to wildlife altering their behaviour by leaving or avoiding areas that are 'noise polluted', thus affecting the ecology of the area.

There are no examples of this type of business in such close proximity to areas of ANOB or SSI status in this area.

This application does not just affect the residents of West Leith but all those of Tring and the surrounding areas that access this amazing area

The site could be located in another area of the applicants property far away from any residents and woodland and provide better vehicular access and parking. Reducing impact of traffic noise and pollution and reducing potential dog barking and the detrimental effects on the Woodland wildlife.

This application will have a long term impact on the character and preservation of an ANOB and SSI and to the residents and users of Stubbings Wood, who remain respectful of the area of which we live and visit.

We object to this revised planning application .

In addition to our previous comments, we would like to expand further.

The changed location of the car park means the traffic will still come up West Leith, it is unreasonable to expect a small rural community to accommodate a commercial business( that will affect their daily lives) that is reliant on its income being generated by half hourly/hourly vehicles via a single-track road that is not fit for this purpose.

This application contributes nothing to the local community, either socially or economically or to the wellbeing of the area. Providing a service that is unnecessary, given the hundreds of acres of woodland, parks, footpaths and country roads we are surrounded by. Operating a

dog walking paddock cannot be classified as 'recreational' as it is providing the use of land as a service for the general public, therefore, is defined as a commercial business and its prime purpose is for a profit venture. A dog walking paddock would introduce 'alien' urban elements to this AONB.

It is an AONB policy to encourage activities that enhance these areas and contribute to the preservation of wildlife and ecology and to keep vehicular interference as far away as possible. The AONB seeks to protect rural locations from commercial development.

The revised Planning Statement STILL doesn't address the proposals of how the dog fouling is to be disposed of, a matter of environmental health.

There is no planned 'route' shown indicating the exact path which clients are supposed to take from the 'car parking area' to the paddock itself, this is left open to interpretation and has the potential to be along the rear and side of many residents' properties of West Leith. Which would indicate potentially more fencing, there is already an excessive amount of fencing not only at the site but around the periphery of the applicant's land too. The height and amount of close wire mesh fencing is prohibitive to the movement wildlife and should be removed.

The cutting back of ancient trees and hedging belong to Stubbing's Wood by the applicant, which is SSSI and SAC designated has potentially caused a disturbance to food supplies, breeding sites and shelter to wildlife. These areas are often a source of dead wood, an essential habitat for many rare and threatened species of insects, fungus and lichen.

SAC is defined in the EU's Habitats Directive (92/43/EEC), to protect the 220 habitats and approximately 1000 species listed in annex I and II of the directives which are considered to be of European interest following criteria given in the directive. They must be chosen by the State Members and designated SAC by an act assuring the conservation measures of the natural habitat.

The proposed Horse Track around the periphery of the paddock and stretching way beyond that, will be reliant on further cutting back of Stubbing's Wood ,this woodland is protected by law and any further cutting should be prohibited. Developments such as leisure activities can destroy ancient woodland, both directly through the conversion of land use and indirectly through damage to woodland.

In England , the National Planning Policy Framework (NPPF), updated in 2018, includes a provision that "development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons" (paragraph 175c

The Woodland Trust report 'Impacts of nearby development on the ecology of ancient woodland' highlights the following points relevant to this application;



	<p>Chronic disturbance is likely to be greatest at woodland edges (Matlack 1993) but may permeate throughout small woods and those with a relatively large edge to area ratio. Research suggests that disturbance by people at the woodland edge can penetrate up to 50-80m into neighbouring woodland (Hamberg et al. 2008; Matlack 1993; Thiel et al. 2007).</p> <p>The impacts of ongoing chronic noise pollution are described in 4.2.2, 4.3.2 and 4.4.2. In particular, it is likely to affect the distribution and breeding success of mammals and birds in adjacent ancient woodland that are intolerant of noise (Fernandez-Juricic 2001; Warren et al. 2006).</p> <p>Tidying of woodland edges, including pruning of trees and shrubs for visibility and safety, or to avoid subsidence caused by tree roots, affects woodland adjacent to leisure developments and areas used for associated recreational activities. This may lead to removal of deadwood habitat and the exposure of the woodland interior to increased sunlight and rainfall, reducing the quality of the internal woodland habitat for specialist organisms (Roovers et al. 2004).</p> <p>Leisure activities on land neighbouring ancient woods and intensively-used paths created along the woodland edge are associated with a range of negative impacts on the adjacent habitat. Activity may increase soil compaction and reduce tree root competition, thereby altering the ground flora at woodland edges; effects that can penetrate up to 50m into neighbouring woodland (Hamberg et al. 2008).</p> <p>Disturbance created by leisure and sports developments that penetrates nearby ancient woods (4.9.2) may effectively fragment them into smaller habitat islands. Whole woods, or discrete areas, may consequently become unsuitable for some species of wildlife.</p> <p>Minor operations such as erection of fencing, gates and walls cause disturbance, fragmentation and have a cumulative effect on ancient woodland.</p> <p>'Dacorum's District Plan' policy No.88 entitled 'Landscape Strategy' seeks to preserve and improve the landscape within the Chiltern AONB, policy No.89 in particular refers to the Chiltern AONB and alia must not be intrusive in terms of noise, appearance and traffic generation.</p> <p>Our stewardship of looking after our natural world ,even at this local level, is as important as ever.</p> <p>We trust the council will consider this matter with the greatest care and attention.</p>
<p>Shire House Duckmore Lane Tring HP23 6JR</p>	<p>I live at Shire House, Duckmore Lane and have done so for 40 years. A very important reason that I moved here is the tranquillity and the AONB. I spend much time in my garden and my garden is the other side of a field which borders the area where the new car park will be constructed if this application is approved.</p>

	<p>There will inevitably be inappropriate noises from this use, with dogs barking as they are taken from the cars in the car park along the track to the field where they will walk. Car doors will bang and no doubt on some occasions I will hear car radios and human voices.</p> <p>This commercial use will be out of character within the AONB. Further there is much wildlife, in this location which will be adversely affected by this activity.</p> <p>I strongly object to this proposal and wish to register my objection to it.</p>
<p>Steam House 13 Chapel Street Tring Hertfordshire HP23 6BL</p>	<p>5. Description of the proposal: The document states the work or change of use has NOT already started, yet there has already been considerable investment in the erection of high fencing around the area in question. Development and preparation has already started.</p> <p>8. Pedestrian and Vehicular Access...: it states there are NO new public rights of way, or any diversions/extinguishments and/or creation of rights of way, yet there has to be a new access created or permitted between the end of the road into the gateway which, as we understand it, means driving on/crossing a bridleway.</p> <p>13. Foul Sewage: document states foul sewage disposal is "unknown". If, as the Planning Statement describes "it is not expected that there will be more than 4 dogs in the paddock at any one time" that means in the summer months there could potentially be 8 dogs per hour = 88 dogs per day, as a worse case example. What has not been mentioned in any of the documents is the amount of dog faeces that will be generated in this paddock each hour, each day. A professional dog walker, with up to 4 dogs running around, is going to be physically incapable of monitoring each dog's toilet activities and indeed in picking it all up. As long time dog owners, we know that most dog owners and walkers are conscientious when it comes to picking up their dog faeces, however, there is a minority who do not, and some who even bag it then hang it from trees. There has been no provision made for collecting, storing and disposing of dog faeces or in the monitoring/inspecting of the field after each letting. There is not even anything alluding to the idea that dog walkers will be "advised to remove their dog's faeces". How will this potentially dangerous topic be overcome? In summer months, there is no worse smell</p>

than walking past a sweltering dog waste bin that is in full sunlight. Are the neighbours going to have to suffer this throughout the whole summer?

14. Waste Storage and collection: document declares there are NO plans to store or aid collection of waste, likewise recyclable waste. As mentioned above, dog faeces is a very dangerous substance and contact can lead to many health issues and even blindness in adults and children alike through Toxocariasis. The dog walking field will become a social gathering point, whether intended or unintended it is a fact. Dog owners/walkers are sociable. Tring is a friendly sociable place with many cafes etc to cater for its friendly and sociable population. Where are people going to put their litter - coffee cups, food wrappers, water bottles etc? With no provision for recycling, or disposing of dog faeces the environmental credentials of this venture are non-existent.

15. Trade Effluent: the proposal does not involve the NEED to dispose of trade effluent or trade waste. A dairy farmer has to manage the effluent from his cows. A dog walking paddock owner MUST be accountable for the safety of it's users by managing dog (trade) waste.

Referring to the Planning Statement:  
Our concerns regarding this application are as follows:

- o Traffic congestion. We have visited such dog walking fields before and they are always out of sight of other properties, in a tucked-away remote corner of a farm, not 8m away from someone's living room. A car parking space for 2 cars assumes that people will arrive on time and leave on time. This is never the case in reality. It does not allow for meeting up with friends - "why not come up to the field and have a coffee while the dogs run around?" will become a reality. There will be a sense of selfish entitlement by some users. Where are the friends of the dog walkers going to park when they visit? They may potentially park wherever they like, without due consideration to the neighbours - there are NO parking areas on the road itself. The road is a popular route for walkers, cyclists and horse riders - encountering such an increase in traffic on such a narrow and blind road will inevitably cause hazardous situations, putting lives of people and animals in danger.

o Excessive noise. These dog walking paddocks are ideal for dogs who are not socialised (ie. bought as a family pet during lock-down but have not met other dogs/humans sufficiently to put them at ease), who are rescued from abusive, cruel lives elsewhere, or who are so traumatised that they are a danger to other people and other animals so cannot be let off the lead in public. This field will be ideal for these types of traumatised, untrained or un-trainable dogs. However, traumatised dogs bark. They bark a lot. They do not understand commands, or whistles and will inevitably be shouted at. There will be a lot of shouting - especially given the dog could be 100m away from the owner/walker. With multiple dogs together at one time the barking and shouting of commands will be intolerable for nearby residents who may be sitting in their garden 8m the other side of the fence. It might be an ideal space for training such dogs, but this is not what it is for, so the dogs behaviour will not get better but just contained in a field to the detriment of everyone who lives nearby.

o Dog faeces. As outlined above there is no mention of this in any of the documents. There is no provision for a dog poo bin, or any field inspection/clear up after each letting. Children like to play in fields and they like to run around with their pet dog in fields. How will children (and adults) be protected from contracting Toxocariasis? If there is no provision for any shade, any dog poo bin, should one be provided, will sit in the sunlight all day long. If a dog walker is exercising 4 dogs and diligently picks up all their poo, I'm sure they would put it in a bin if one were provided, where it can sit in the sun all day. If no provision, what are the alternatives?

o Fencing. The fencing is unsightly, intimidating and not in-keeping with it's surroundings. If residents at the Rothschild Barns down the road have been forced to use Estate Fencing on their property then so too should this farm. Estate fencing could include secondary finer wire mesh, but essentially the current fencing is a blight on this Area of Outstanding Natural Beauty.

o Proximity to neighbours. The new fence may be 8 metres away from

the garden of Five Hill Cottage but a large, traumatised dog bark travels a great deal further than 8 metres. Potentially 88 dogs a day could be barking AT the neighbours through the fence - there is no way of telling how dogs will behave if they are not socialised, when they see other people or lawn mowers etc through the fence. The hedge that forms the boundary is old and has been partly removed. It is not a sound barrier by any means. The close proximity of this dog walking field to Five Hills Cottage and the other near neighbours will have a negative impact on their current and future resale property values.

- o 4.3 - "the use will be carefully managed and any noise from users, their dogs and vehicles will be kept to a minimum". There is no mention as to HOW this will be managed. When its' cold and wet dog walkers/owners will sit in their cars with the engine running and the heating on while their dogs run around. When it's hot people will sit in their cars with the engine running and the air conditioning on. How will the farm owner know what is going on? their house is in the valley and they cannot see the car park. How will the farmer decide what is too much noise? Or too much pollution? How will they decide when to intervene? Or when to turn a blind eye rather than risk losing revenue? Are they relying on the neighbours being extra vigilant and letting them know?
- o Danger of future development. As we have seen first hand in other dog walking fields around the country when visiting with friends who own rescue dogs, the land owner wants to maximise their return. We have seen this lead from a single dog poo bin to a sunshade/rain shelter to a DIY help yourself tea/coffee station to a cabin with WC to a café with picnic tables and separate children's play area. This would not be acceptable for such an area as this but the potential for future development is there nonetheless.
- o Insurance. Suitable insurance is required to cover potential personal damage due to tripping in rabbit holes, contracting Toxocariasis etc
- o Hours of operation. We feel that the field wishes to operate excessively - allowing dog walking up to 4 dogs every half hour for every daylight hour through

	<p>out the entire year. That will be extremely detrimental to the neighbours quality of life and will have a negative impact on their mental health. Incessant barking, shouting, increased traffic, invasion of privacy, noise pollution and loss of property value will all have a negative impact on the neighbours' quality of life.</p> <p>Please confirm that all our objections will be included in the decision making process. Yours sincerely, Stewart &amp; Di Ivory</p>
<p>Westwood King Street Tring Hertfordshire HP23 6BE</p>	<p>I am writing to object to the above planning application on the grounds of increased traffic on a single-track road, with no passing places and which has restricted access. Access to the paddock is directly off a rural footpath within woodland, with the gate to the field obscured by a bend in the lane when walking from Pavis wood towards West Leith road.</p> <p>I use this lane daily to walk my dog. The proposed paddock is in a field adjacent to the path leading from West Leith road into Pavis Woods. Traffic associated with this proposal would impact the openness and safety of this area and the peaceful setting of this rural location will be damaged. The gate leading to the proposed paddock is directly off a public footpath, just beyond a blind bend. This will be dangerous to both dogs and children, as any vehicle exiting the field must pull onto the footpath and will not be able to see safely around the bend.</p> <p>Currently vehicles coming up as far as the proposed paddock gate, are for the three properties adjacent to the proposed paddock, at the base of Pavis Wood, so minimal. When walking further down West Leith road, past the cluster of homes on the left, traffic increases slightly and as there is no passing place, it can become congested. As a dog walker and on foot, it is often necessary to clamber up the steep bank to allow cars to pass. If two cars are using the lane at any one time, it is necessary for cars to reverse to a passing place. The frequency of this happening will only increase and will be a danger to walkers, children and dogs. It will create conflict between traffic and the aforementioned group in what is currently a relatively safe, public space.</p> <p>Included in my objection is the concern that conversion from agricultural land in a rural area to non-agricultural business use, will set a precedent for further development of this land within this area of outstanding natural beauty.</p>
<p>4 The Barns West Leith Tring Hertfordshire HP23 6JJ</p>	<p>I wish to strongly object to the proposed dog walking paddock at West Leith Farm, West Leith Tring HP23 6JR. I have been a resident here for twenty one years and as such I am very familiar with the dangers of vehicles driving up and down the very narrow lane. To allow such a business to operate in the very narrow lane would be very dangerous for residents and the local Tring community who regularly walk up West Leith to the woods with family and children for exercise.</p>

	Mr Vernon Hill.
Lesanor Bunstrux Tring Hertfordshire HP23 4HT	<p>As a Tring resident and a regular visitor to Stubbing's wood, I am concerned that the change of use of the field will increase the number of vehicles using the lane, thus making it more dangerous when we walk or cycle. As parents of young children, the current vehicle restrictions, give us peace of mind when using the road.</p> <p>I also feel that the addition of a car park will fundamentally change the outlook from the gateway and the from the woods.</p>
	<p>I am the Group Scout Leader of 1st Tring Scouts group. I am writing to object to the above mentioned planning application.</p> <p>My main concern is for the safety of Scouts aged 6-14 years who regularly use the narrow West Leith lane, with little passing opportunities, to access Stubbing's wood. I am also concerned for the environment. Tring Scouts work closely with the Environmental Awareness Office of Dacorum including recycling Christmas trees. I would find it extraordinary both as a Scout Leader and a resident of Tring that Dacorum would want to encourage people to use cars for walking dogs.</p> <p>Therefore, I am asking for my comments to be taken into consideration on this matter</p>
12 Mortimer Rise Tring Hertfordshire HP23 5NE	<p>I do not live close to the proposed development so will not say too much about the likely negative impact on neighbouring properties although I do think this has been somewhat glossed over in the application documents.</p> <p>As a regular walker in the area I do feel that what is planned, and what has already been done, is detrimental to the visual aspect of this space within an AONB and adjoining the woodland. The fencing erected within the field, and which would be needed for the proposed usage, is just plain ugly - it certainly does not fit in with the "B" part of AONB!</p> <p>As stated elsewhere the adverse effect on local wildlife must also be considered.</p> <p>I cannot help but think that, whilst there may be a certain need/demand for this type of facility, this is simply the wrong location.</p>
3 Hastoe Row Church Lane Hastoe Tring Hertfordshire HP23 6LU	Such a beautiful part of AONB such be left as natural as possible.
6 The Barns West Leith Tring Hertfordshire	Object to the increase in traffic this new business would generate on a single track lane used by residents, walkers, cyclists and horse riders.

HP23 6JJ	
<p>4A Goldfield Road Tring Hertfordshire HP23 4BA</p>	<p>As someone who walks frequently on the access lane to West Leith, I am concerned that the proposal would result in an increase in traffic on the road and a consequent reduction in safety for myself and other users. The route is well used by walkers, horse-riders and cyclists and the lane is narrow with limited visibility and restricted light in places.</p> <p>In more general terms, it is my opinion that the development would also have a detrimental effect on the enjoyment by many people of a valued amenity.</p>
<p>1 The Barns West Leith Tring Hertfordshire HP23 6JJ</p>	<p>We strongly object to this application which, even in its revised form, does not address any previous objections.</p> <p>This proposal will increase vehicular traffic in West Leith Lane to unacceptable levels, endanger pedestrians, horse riders, cyclists, cause excessive noise pollution and is entirely out of keeping with the amenity of the whole area.</p>
<p>98 Western Road Tring Hertfordshire HP23 4BJ</p>	<p>I strongly object to this planning application.</p> <p>I have lived in the local area for the last 24 years and have walked in the West Leith area at least once a week.</p> <p>The impact on residents and the local environment will be huge.</p> <p>The proposal is not inline with the planning guidance for an AONB, the plan does not enhance the area and will generate a net loss to wildlife rather than a net gain.</p> <p>Walking recently I have noted some huge fences have been erected prior to approval being given. These fences prohibit the natural existing movement of wildlife. Residents of West leith have to have open fencing on their properties for this exact reason.</p> <p>The loss of privacy, increased traffic and considerable noise pollution will have a huge impact on residents quality of life.</p> <p>Please note that the diagram labelled existing car park is misleading, the area that formed the car park at the farm was one of the plots recently sold by the applicant. This can clearly be seen from the public footpath. I'm not sure where this new car park area is and certainly is not 'existing' prior to this proposed plan.</p> <p>The plans are completely out of character for an are of AONB.</p> <p>Having walked near the existing dog walking paddocks on Bourne End Lane near Hemel Hempstead I was horrified to see 10/20 vans driving up and down the lanes, to give your dog a day in the countryside.</p> <p>Is this a back door application that will lead to further applications for lighting, facilities, CTV, mains and eventually a new dwelling.</p> <p>Small applications can have a huge cumulative effect on the local characteristics of an area and should be rejected from the onset.</p>
<p>1 The Barns West Leith Tring Hertfordshire HP23 6JJ</p>	<p>I object most strongly to the above planning application.</p> <ol style="list-style-type: none"> <li>1. It is most inappropriate given that the lane is a single track, 'No Through Road', with very few passing places. It is already busy with families and young children walking, horse riders, cyclists, delivery drivers, refuse collectors, workmen etc.</li> <li>2. Being a 'No Through Road' regularly leads to vehicles turning in residents' driveways and parking areas, in itself a danger to pedestrians. To add more vehicles to this amount of traffic would be unacceptable.</li> </ol>



	<p>3. I object even more strongly to the revised planning application which would result in dogs and their walkers passing right next to the hedge at the end of our garden. This would obviously intrude on our privacy; added to that, the inevitable boisterous barking of dogs would disturb the very peace for which we specifically moved here. We bought this barn for a quiet retirement in this Area of Outstanding Beauty. Also, it looks as though the revised position of the parking area is proposed directly over the drainage pipes between the Barns and the sewage plant.</p> <p>4. The great majority of the barns here have a covenant banning dogs so we very rarely suffer from the noise of barking. This would obviously change; even more so if professional dog walkers bring several dogs. By their very nature you cannot stop a group of dogs from barking when rushing round enjoying themselves.</p> <p>5. There are miles and miles of glorious countryside at the end of the West Leith Lane where dogs can be walked with or without leads. Surely an enclosed field dedicated to dog walking would be more appropriate in a place where there is no alternative.</p> <p>I object most strongly to the above planning application.</p> <p>1. It is most inappropriate given that the lane is a single track, 'No Through Road', with very few passing places. It is already busy with families and young children walking, horse riders, cyclists, delivery drivers, refuse collectors, workmen etc.</p> <p>2. Being a 'No Through Road' regularly leads to vehicles turning in residents' driveways and parking areas, in itself a danger to pedestrians. To add more vehicles to this amount of traffic would be unacceptable.</p> <p>3. We moved to our barn because of the quiet and peaceful surroundings in this Area of Outstanding Beauty. The great majority of the barns here have a covenant banning dogs so we very rarely suffer from the noise of barking. This would obviously change; even more so if professional dog walkers bring several dogs. By their very nature you cannot stop a group of dogs from barking when rushing round enjoying themselves.</p> <p>4. There are miles and miles of glorious countryside at the end of the West Leith Lane where dogs can be walked with or without leads. Surely an enclosed field dedicated to dog walking would be more appropriate in a place where there is no alternative.</p>
<p>11 Windmill Way Tring</p>	<p>I strongly object to the above planning application as the increased traffic on the single track road which has no passing places will be extremely dangerous.</p> <p>I have used this road to walk on a daily bases for the last 30 years and often take my Grandchildren to Stubbing's wood to enjoy the safety of walking and playing away from traffic.</p> <p>I see a lot of wild life in and around the area of the proposed planning which includes Deer Rabbits Stoats Pheasants Partridges and numerous birds nesting in the trees and also ground nesting birds.</p>

	<p>To have access to this field for cars and dogs will result in all this wildlife being either displaced or lost for ever which at a time when we are meant to be helping all our wildlife would be unforgivable.</p> <p>I have personally found the safety and quietness of my daily walks in the area so helpful both physically and mentally in these difficult time and to increase the traffic for both vehicles and human would catastrophic to this beautiful area.</p>
<p>5 Brook Cottages Ivinghoe Aston LEIGHTON BUZZARD  LU7 9DG</p>	<p>Unfortunately many on this application do not see the long term development of this area, there are 3 paddocks sold who need access to the fields via the lane, there is at least 9 more to be sold, there will be more traffic on the lane, the applicant sold as a huge amount of land, it is the buyer who has separated into parcels, so if DBC make the road good for all future ventures there is no problem regarding the road. for existing home owners</p> <p>I have lived in Tring for 20 years, until recently. I regularly walk my dog and over the years have ridden the bridlepaths in this lovely area.</p> <p>I have visited the site today, and seen the revised position of the car park, it will be safe, secure and not visible from the road. The enclosure is set back from the road, and will have hedges &amp; trees planted around for natural screening, which will also help with noise reduction, if needed. There is also access to the enclosure from the road for pedestrians to enter with the dogs, and is in within walking distance from Tring which will reduce cars on the lane.</p> <p>Any extra cars will now not have to go past the barns as the entrance for cars is a lot further down.</p> <p>Due to the very nature of the lane, cars drive slowly, and there are at least 2 passing places I could see.</p> <p>The enclosure is to be used for dog exercising not picnics nor family days out &amp; from what I have learnt, would be monitored strictly.</p> <p>I have been lucky enough to see 1st hand, the amount of effort, time and money the applicant has put into a lot of the land surrounding &amp; behind the enclosure, removing a lot of dead hedges etc, replacing them with thousands of new trees etc to grow and form more natural screening.</p> <p>The applicant looks after all their land &amp; wildlife carefully, has a passion for animals, their welfare &amp; the surrounding Countryside, and appreciates the responsibility to look after it for generations to come. If only more people were like this.</p> <p>The amount of wildlife that has left the area, deer, pheasants, muntjac to name but a few, in the past few years due to out of control dogs that chase them, maybe the owners could use this amenity to help bring them back to the area.</p> <p>Many thanks</p>
<p>1 West Leith Tring Hertfordshire HP23 6JR</p>	<p>Please see Documents tab</p>
<p>Horseshoe Barn</p>	<p>This application will impact all resident on West Leith Lane as there is</p>

<p>9 The Barns West Leith Tring Hertfordshire HP23 6JJ</p>	<p>only one access route to the 15 properties who use it. There is already a high usage of the lane by dog walkers cyclists, groups going to Stubbings Wood etc Additional traffic is not required on a lane that is already in a poor state.</p> <p>The change of use would also create a precedent in terms of change of usage and could be the thin end of a wedge in an AOOB. Revised Application 21/01720/FUL The proposed change to the plans moves some of the potential traffic problems but, in effect, creates others. It does not change the potential increase in road traffic in the lower part of West Leith Lane which has only one genuine passing point and is a popular pedestrian route for walkers, dog walkers and groups of children going to Stubbings Wood. The lower lane is also densely shaded by the overhanging tress and hedgerows and has an impact on the light and could be a risk to non- regular users if care is not taken. Residents are alert to the issues. The proposed change of access to the paddock is via the unsurfaced track that leads off West Leith Lane to West Leith Farm. The track is also a footpath (32A) along which walkers join the path to gain access to Stubbings Wood, Pavis Wood and Dancers End. The footpath into West Leith Lane is also partly obscured by hedging. I have lived on the corner of West Leith Lane and the unmade track for many years and am well used to the footfall and in the past equestrian users. This was of little or no nuisance, was irregular in terms of usage and in many ways reflects the rural surroundings. The proposed change of access will change this if the intention is that users will be spread over a longer day at half hourly intervals. track also provides access to the West Leith Barns sewage plant and although not emptied on a regular basis access would need to be maintained as it is sited below the revised car park site. The paddock and car park have already been constructed and in the case of the former I assume the owner has replaced the ancient hedgerows with new plants and shrubs which over time will provide better screening . I appreciate the need for landowners to diversify where traditional farming and agricultural sectors are in decline but this seems to be inappropriate in terms of location in an area of outstanding natural beauty and so close to residential properties. Three additional parcels of land have been sold by the applicant with access created by the land agent off of West Leith Lane. I understand that 2 of the 3 have been sold which will no doubt add to the traffic problems in the lower part of West Leith Lane.</p>
<p>March House 90 Western Road Tring Hertfordshire HP23 4BJ</p>	<p>This area is already popular with dog walkers and walkers. There are ample walking trails at West Leith and Stubbings Wood to exercise dogs. I'm at a loss to see how this small fenced field for dogs could possibly enhance this beautiful part of Tring at West Leith. It's an area of outstanding beauty, with very little traffic but many walkers and any increase in traffic should be avoided for safety reasons. Changing the location of the parking for this application doesn't alter the fact that this is not appropriate use of land in an AOOB.</p> <p>The NPPF allows, under Paragraph 146 (e) For the change of use of land within the Green Belt for outdoor recreation.</p>

	<p>This is not recreational dog walking. This would be a commercial activity bringing increased traffic and noise - presumably vans with multiple dogs- on to a single track no through road with many walkers.</p> <p>Walkers access a gate directly from the single track driveway leading to the parking - surely this would not be considered a safe place to increase car traffic?</p>
<p>Five Hills Cottage West Leith Tring HP23 6JR</p>	<p>We are writing to OBJECT to planning application ref: 21/01720/FUL - Change of use of agricultural land to dog walking paddock with associated parking. Please confirm via email that our objections will be considered and included in the decision-making process.</p> <p>We also request that a visit to the proposed site (the "site") is made in person by the planning officer.</p> <p><b>BACKGROUND</b></p> <p><b>The Location</b></p> <p>The site is located at the top of West Leith, which is a single-track lane approximately 350m long. West Leith (the "lane") is used by the residents plus other vehicles providing services such as refuse vehicles, tradesmen, Royal Mail, couriers, utilities and the emergency services. These often block the lane or need to reverse due to the lack of passing and turning space.</p> <p>A No Motor Vehicle sign is situated half way up the lane, at the junction leading to the main entrance of West Leith Farm, promoting a safe onward environment for the regular cyclists, runners, horse riders, dog walkers and pedestrians accessing the many miles of offroad footpaths that lead to and from West Leith and Stubbing's Wood. (Photos 1, 2, 3, 4, 5, 6, 17 &amp; 18)</p> <p>From the point of the No Motor Vehicle sign, a Permanent Traffic Regulation Order (PTRO), is in place - "The Borough of Dacorum (Various Roads, Tring) (Prohibition of Driving) Order 1987</p> <p>See Appendix 1 for full details</p> <p>In addition, increased demand is set to be placed on 'the lane' as the field on the North side of the lane (formally part of West Leith Farm), has recently been sold and has been sub divided into plots. These Plots are now being offered for sale again (see link below). The access gate, providing agricultural access to these plots is also within the PTRO section of the By Way.</p> <p>2</p> <p><b>The Site</b></p> <p>The Site is currently set to pasture, not subjected to mechanical mowing, so has a rich diversity of wildlife. In January 2021 enabling works and a new compound of 2m high post and stock wire fence</p>

were erected. This compound has yet to be used.  
The site currently has an agricultural gate from the lane set into the hedge. During the time, we've lived in the adjacent property (3years 9months), this gate has only been used a handful of times.  
The Planning Application  
A planning statement ( prepared by Hemisphere Planning Consultancy) has been submitted with the application. The Planning Statement says it should be read along with the following documents.  
(However, these are not available on the Dacorum planning site):  
o Design and Access Statement  
o Ecology Report  
o Drainage Assessment  
We request these are made available and time is given to enable us to review.

**OUR OBJECTIONS**  
We wish to formally object to the planning application on the following grounds:

1. Traffic, accessibility and parking  
1.1. PTRO  
As previously mentioned, there is a PTRO in place on the lane - "The Borough of Dacorum (Various Roads, Tring) (Prohibition of Driving) Order 1987" (see Appendix 1).  
Articles 2a - 2e of the PTRO detail the permissible uses for which vehicles can have access to this part of the lane.  
Article 2b states that a vehicle can be used "for purposes of agriculture in connection with land adjacent to those roads or for the conveyance or haulage of timber felled upon that land;"  
The planning application has been submitted to change the use of agricultural land to dog walking paddock with associated parking. As such, the use of the site will no longer be of an agricultural nature. Consequently, Article 1 of the PTRO would become applicable. Article 1 states that "No person shall cause any motor vehicle to proceed in the roads specified in the Schedule of this Order." This means that there would no longer be a permissible use for vehicles to access this part of the lane and indeed the site itself and as a consequence, parking would not be required on the proposed site.  
Please note that although the PTRO prohibits any non-agricultural vehicular access, and therefore would prohibit access to the new proposed site, we are listing all of our objections relating to traffic, accessibility and parking for completeness.

3  
1.2. Increased vehicle movements  
An additional 44 motor vehicle movements each day, would be generated based on:  
o 1 vehicle per visitor

o operating hours of 8am to 7pm (11 hours) during the Summer Months (Section 2.3 of the Planning Statement)

o half hour bookable slots

That is approx. 14,000 new vehicle movements a year, on a single-track lane resulting in increased traffic noise and emissions in the area.

The 2 additional car movements every 30 mins (one car arriving and one car leaving) will make accessing and leaving our drive and travelling on the single-track lane, significantly more difficult than before.

The additional traffic and restricted passing opportunities on the part of the PRTO (which means at least one vehicle having to reverse) will also make the lane less safe for the regular cyclists, horse riders, dog walkers, pedestrians and several Scout groups each week, accessing the many miles of off-road footpaths that lead to and from West Leith and Stubbing's Wood, due to the fact that the lane is not much wider than a vehicle.

**1.3 Site access**

To access the site, vehicles will pull up outside our home, Five Hills Cottage, in order to open the gate to the field, and the secondary gate into the new dog walking paddock. The distance between the field gate and entrance to Five Hills Cottage is 1.5M (the average length of a car is 4.2M - 4.9M). This means that access to Five Hills Cottage will be blocked whilst they do this.

As mentioned in Section 3.12 of the Planning Statement, the existing gate is intended for agricultural access. The entrance is concealed when approached from the Stubbing's Wood direction. There is a narrow path alongside the five-bar gate that forms the end of the lane.

Walkers, cyclists, and horse riders need to pass very close to the concealed entrance. This increases the risk to these users due to lack of visibility splays for vehicles exiting the site. A site visit will confirm these concerns.

(Photos 1,2,3,4,5 & 6)

**1.4 Parking**

Sections 2.1 and 3.13A in the Planning Statement, detail the provision of a 110m<sup>2</sup> gravelled area for 2 vehicles to park. This area is visible from the lane and the gateway into the site which is often used by people to stop and enjoy the unspoilt views of the valley and woods within the AONB. The proposed gravel materials would provide an eyesore, along with the associated parked vehicles, which will also be clearly visible from Stubbing's wood. A more sympathetic solution should be used, e.g. Ecogrid (<https://ecogrid.co.uk/wp-content/uploads/2017/11/a1-Ecogridgrass->

case-studies.pdf). Whilst this would be an improvement over gravel, it would not remove the vehicles from the site.

The development would have a harmful impact on the rural character of the locality due to the introduction of inappropriate fencing and car parking, contrary to paragraph 172 of the NPPF

4

West Leith Farm (owned by the applicant) has ample parking in the yard. There is road free access from the farm yard to the site via the safe fenced off access routes created when the paddock was constructed in January 2021 (see Map 1 below). As such, the need for additional parking, at the site, on land within the AONB and Greenbelt is completely unnecessary.

Map 1 - Route from farm yard to site / redlined entrance area

## 2. Residential Amenity

Section 3.8 of the Planning Statement states that "Policy CS12 of the Core Strategy requires amongst other things that developments should avoid visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to surrounding properties".

Our home, Five Hills Cottage is the neighbouring property to the site. The close proximity of the property to the proposed entrance and access routes will be impacted by loss of privacy and noise in both the house and gardens.

The Planning Statement states that Five Hills Cottage is 8m from the site. This is incorrect. The entrance to the site is adjacent, not 8m away, to Five Hills Cottage as can be seen on (see Map 1 above). The entrance to the site will be the source of much of the noise caused by vehicles accessing and leaving the site.

5

(Photos 6, 7, 8 & 9)

## 2.1 Noise

Section 3.9 of the Planning Statement states "Consequently, as the dogs will be with their owners and only dogs with whom they are familiar, it is not considered that there will be any excessive or prolonged periods of barking". This is not something that the Planning Consultant can evidence.

Having dogs in the field and owners calling the dogs etc will have an increase in the noise levels when compared to the current use as pasture land. In addition, it is likely that there will be some barking which will also contribute to the noise levels. Other sources of noise could be dog owners using their mobile phones, car radios, car engines running during inclement

weather (owner sitting inside to keep warm and dry whilst their dog is exercising).

Section 3.10 of the Planning Statement details the fact that if the noise becomes excessive then they will be expected to leave the site. It is unclear how this will be monitored as the applicant will not be supervising the site.

All properties on the lane will be impacted by increased noise and disturbance due to the increase in traffic.

Due to the proximity of Five Hills Cottage to the site, we will also be hugely affected by the noise of opening and closing of car doors/boots, idling engines or starting/stopping on modern vehicles when they are opening/closing the gates. (On average there will be 6 'door/boot' open/closes per vehicle movement 264 slams per day).

The impact of increased noise will be particularly acute, during the warmer months when we are using the garden and have our window and doors open. The proposed operating hours will give us little respite from the noise made by those using the site and will detract from the enjoyment of our house and garden. Being able to spend time outside, in the peaceful surroundings in which we are accustomed to living, is an important part of ensuring our mental wellbeing.

#### 2.2 Loss of Privacy

Our home, Five Hills Cottage shares a boundary with the field that extends the full length of the proposed area. This is mainly comprised of deciduous hedging but it is not continuous.

The Planning Statement says that Five Hills Cottage is at a similar level to the site. This is incorrect, the ground floor level of Five Hills Cottage is some 0.6M lower than the level of the field at the boundary and increases as you move further up into the site.

Section 4.3 of the Planning Statement says the proposal wouldn't result in any adverse overlooking of Five Hills Cottage. This is totally incorrect, it is possible to look straight into our Dining Room and Lounge. It is also possible to see through the deciduous hedging into the far end of our lounge and garden/patio area.

It is also possible to see into two of our bedrooms on the first-floor, from the site. This loss of privacy will be intensified during winter and overcast days when the internal lights will be used and the deciduous hedging has shed its leaves. This is not an issue under the current agricultural use of the site.

6

(Photos 8, 9, 10, 13, 14 & 15 - none of which have been taken from



within the proposed site)

### 3. Visual Intrusion

Whilst we understand that we have 'no right to a view' from the property, the inclusion of a gravel parking area and parked vehicles, would cause visual intrusion from our property.

The issue of visual intrusion also impacts the public view from Stubbing's wood and the current gateway into the site.

A more sympathetic solution, rather than a gravelled parking area should be used, e.g. Ecogrid

<https://ecogrid.co.uk/wp-content/uploads/2017/11/a1-Ecogrid-grass-case-studies.pdf>

(Photos 10, 11, 12 & 15)

### 4. Hours of Operation

The Proposed hours of operation detailed in Section 2.3 of the Planning Statement will provide us with

little relief from traffic, noise and loss of privacy. They are due to be 8am - 7pm in the summer, 7

days per week and 8am - 4pm in the winter, 7 days per week. This will have a significant impact on

our residential amenity. Other such facilities have been found to operate in normal business hours

e.g. 0900 -1700 on Mondays to Friday and allow respite on weekends and public holidays by not

trading.

### 5. Other

#### 5.1 Case in point

Section 3.2 of the planning statement references 4/00718/19/FUL - The Brambles Flaunden Lane,

Bovingdon, where a change of use was issued, as a case in point.

There are a few major differences from this planning application:

- o This did not fall within the Chilterns AONB
- o The nearest/adjacent property is that of the landowner / operator of the site
- o It is not on a By Way subject to a Permanent Traffic Regulation Order (PTRO) "The Borough of Dacorum (Various Roads, Tring) (Prohibition of Driving) Order 1987

o It is not visible on 3 sides by footpaths which have views over the proposed site.

o Unlike West Leith, Flaunden Lane doesn't have miles and miles of safe, off-road walking

adjacent to the proposed site.

o It has safe access from the road.

o It does not have a concealed agricultural gateway at the end of a single track lane with restricted access.

#### 5.2 Necessity

Is there a good business case for this change of use? With the miles of safe, accessible

footpaths is there really a need for a dog walking paddock in this part of the AONB? Many

people would choose not to take up such an alternative to their current dog walking

7

routines. People walk their dogs through the AONB to experience the natural environment as well as to exercise their pets; this same experience cannot be found in walking a dog around an enclosed field.

#### 5.3 Waste Management

There is no mention of waste management in the planning statement. This is a major concern.

How and when will waste be removed from the site?

#### 5.4 Alternative Location

West Leith Farm has plenty of other fields that are not in close proximity to neighbouring properties which should be considered, within short walk of the existing parking in the main yard.

#### Summary

The following summary breaks the objection to the application down into two discrete sections; Traffic

/Access/Parking and Change of Use: --

#### Objections to Traffic/Access/Parking

- o The existence of the Permanent Traffic Regulation Order (PTRO) - "The Borough of Dacorum

(Various Roads, Tring) (Prohibition of Driving) Order 1987" is enough in itself to stop nonagricultural

vehicle access to the site via the proposed gate, and thus eliminate the need for

additional parking.

- o Safety for all users of the lane will be compromised due to the increased levels of traffic.

- o Adequate Parking already exists, within the main yard of West Leith Farm. There is safe offroad

walkways to the proposed site, thus eliminating the need for a new parking area and

vehicle access to the proposed site.

- o Proposed use of materials for the parking area would be an eyesore visible from surrounding

footpaths, Stubbing's wood.

- o West Leith Farm has plenty of other fields that are not in close proximity to neighbouring

properties which should be considered, within short walk of the existing parking in the main

yard.

- o A possible 14,000 additional journeys annually to and from the site, with the associated

environmental, and road safety implications. - This would be in direct conflict with the

Dacorum Local Plan 2020 - 2038 - "We declared a Climate Emergency in July 2019 and,

through this, have committed to reducing carbon emissions across Council activities to net zero

by 2030. The declaration also places key responsibilities on the Local Plan to include all

available measures to cut carbon emissions and reduce the impact on the environment."

o Questions over the visibility splays at the field entrance.  
 Objections to Change of Use of agricultural field

- o Close proximity to Five Hills Cottage.
- o Five Hills Cottage and curtilage will be subject to loss of privacy and overlooking.

8

- o Five Hills Cottage and curtilage as well as all neighbouring properties will be subject to loss of residential amenity, increased noise levels associated with increased traffic levels.
- o The proposed operating hours provide no respite for neighbouring properties.
- o Visual intrusion from surrounding areas.
- o The development would have a harmful impact on the rural character of the locality due to the introduction of inappropriate fencing (This has already been erected in preparation) and car parking, contrary to paragraph 172 of the National Planning Policy Framework. (NPPF)
- o The proposed use would harm the relative tranquillity of a valued area of recreational and amenity value, contrary to paragraph 180 of the NPPF
- o Alternative sites are available within West Leith Farm. The farm has plenty of other fields that are not in close proximity to neighbouring properties which should be considered. These area all within short walk of the parking in the main farmyard.

Implied Constraints from the Planning Statement  
 Section 2.2 of the Planning Statement states "The Use of the facility will work on a pre-booking basis for either a half hour or hour slot. The field will be booked exclusively for the dog (s) and their owners and only one owner(s) and their dog(s) may use the field at any one time. The field will be only be used for the walking of dogs and not for training or dog classes."  
 Section 3.8 of the Planning Statement states "It is not expected that there will be 4 dogs in the paddock at any one time"  
 Based on the above, constraints should be imposed to the following effect:

- o That the site is not to be used for Dog Training or any form of organised class.
- o No Training equipment should be present in the paddock. (jumps, tunnels, ramps etc)
- o Dogs must be with their Owner(s) at all times.
- o No more than 4 dogs in the paddock at any one time.
- o That the site is not to be used by professional dog walkers/trainers/day care providers.

If you require any further clarification prior to making your decision please feel free to contact us.  
 Please confirm that our objections will be considered and included in the decision-making process.  
 When you have arranged a site visit, please inform us so we can be present.

<p>Westwood, King Street, Tring, HP23 6BE</p>	<p>Change of use of agricultural land to dog walking paddock with associated parking, West Leith Farm, West Leith, Tring, HP23 6JR</p> <p>I am writing to object to the above planning application on the grounds of increased traffic on a single-track road, with no passing places and which has restricted access. Access to the paddock is directly off a rural footpath within woodland, with the gate to the field obscured by a bend in the lane when walking from Pavis wood towards West Leith road.</p> <p>I use this lane daily to walk my dog. The proposed paddock is in a field adjacent to the path leading from West Leith road into Pavis Woods. Traffic associated with this proposal would impact the openness and safety of this area and the peaceful setting of this rural location will be damaged. The gate leading to the proposed paddock is directly off a public footpath, just beyond a blind bend. This will be dangerous to both dogs and children, as any vehicle exiting the field must pull onto the footpath and will not be able to see safely around the bend.</p> <p>Currently vehicles coming up as far as the proposed paddock gate, are for the three properties adjacent to the proposed paddock, at the base of Pavis Wood, so minimal. When walking further down West Leith road, past the cluster of homes on the left, traffic increases slightly and as there is no passing place, it can become congested. As a dog walker and on foot, it is often necessary to clamber up the steep bank to allow cars to pass. If two cars are using the lane at any one time, it is necessary for cars to reverse to a passing place. The frequency of this happening will only increase and will be a danger to walkers, children and dogs. It will create conflict between traffic and the aforementioned group in what is currently a relatively safe, public space.</p> <p>Included in my objection is the concern that conversion from agricultural land in a rural area to non-agricultural business use, will set a precedent for further development of this land within this area of outstanding natural beauty.</p> <p>Please confirm that my objection will be included in the decision-making process.</p> <p>Regards,</p>
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