

ITEM NUMBER: 5e

22/00919/FUL	Demolition of existing outbuilding and construction of new dwelling, with new access and associated works		
Site Address:	Land Adjacent To Finch Cottage Tower Hill Chipperfield Kings Langley Hertfordshire WD4 9LN		
Applicant/Agent:	Mr Paul Johnson	Mr Chris Akrill	
Case Officer:	Patrick Doyle		
Parish/Ward:	Chipperfield Parish Council	Bovingdon/ Chipperfield	Flaunden/
Referral to Committee:	DMC previously refused scheme on same site		

1. RECOMMENDATION

- 1.1 That planning permission be DELEGATED with a view to **APPROVAL** subject to completion of a S.106 agreement or Unilateral Undertaking to secure a financial contribution in respect of ecological mitigation for the Chiltern Beechwood Special Area of Conservation (SAC).

2. SUMMARY

- 2.1 The proposal seeks to replace an existing ancillary residential building with a new dwelling which is an acceptable form of development in the Green Belt. There is a small increase in volume of the replacement dwelling which is justified as 'very special circumstances'. The proposed dwelling would be acceptable in visual terms and so the proposal accords with policies CS5, CS6, CS11 and CS12 of the Core Strategy.
- 2.2 The proposals would result in some increased overlooking of the rear garden of Finch Cottage however this would not be considered to result in unreasonable harm, given the typical relationship between properties in this part of Chipperfield. The proposal would therefore comply with policy CS12 of the Core Strategy.
- 2.3 The proposal would benefit from 3 on-site parking spaces and therefore complies with policy CS12 of the Core Strategy and the Council's Parking Standards SPD.
- 2.4 The previous application (21/04277) for a larger dwelling than currently proposed was refused for two reasons by the Planning committee (13/010/2022). This revision reduces the size of the replacement dwelling and alters the design of the dwelling to reflect better the character of the adjacent area.

3. SITE DESCRIPTION

- 3.1 The application site lies to the north of Tenements Farm Lane (Chipperfield 012) and comprises of an existing building being used for domestic storage purposes. The planning history suggests that this building may have had an agricultural use in the past, being described as a dairy building in previous case officer reports, although it has been in residential use at least since 2014.
- 3.2 The site lies within the Metropolitan Green Belt and although it is not located within the Chipperfield Conservation Area, this designation does adjoin the site along the southern and western boundaries.

3.3 To the east of the site is Finch Cottage which benefits from its own access and at the time of the site visit was undergoing building works, likely to be in connection with a recent grant of planning permission.

4. PROPOSAL

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

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

4.3 Since the application was validated amended plans have been received and consulted upon. The amended plans reduced the overall scale of the building by reducing the size of the rear single story projection.

5. PLANNING HISTORY

Planning Applications:

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

GRA - 15th February 2021

21/04277/FUL - Demolition of existing outbuilding and construction of new 4 bedroom dwelling, with new access and associated works.

REF - 18th January 2022

4/03154/17/FUL - Conversion of outbuilding to dwelling and creation of a new access

GRA - 1st February 2018

4/03227/14/FUL - Conversion of outbuilding to dwelling and creation of a new access

GRA - 29th December 2014

4/00199/90/FUL - Erection of conservatory

GRA - 27th March 1990

Appeals:

22/00010/REFU - Demolition of existing outbuilding and construction of new 4 bedroom dwelling, with new access and associated works. – *In progress.*

6. CONSTRAINTS

CIL Zone: CIL2

Chipperfield Conservation Area

Former Land Use (Risk Zone):

Green Belt: Policy: CS5

Heathrow Safeguarding Zone: LHR Wind Turbine

Parish: Chipperfield CP

RAF Halton and Chenies Zone: Red (10.7m)

RAF Halton and Chenies Zone: Green (15.2m)
Parking Standards: New Zone 3
EA Source Protection Zone: 3

7. REPRESENTATIONS

Consultation responses

7.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

8. PLANNING POLICIES

Main Documents:

National Policy/Guidance

National Planning Policy Framework (2021)
National Planning Practice Guidance (NPPG)
National Design Guide (NDG)

Local Plan

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

Relevant Policies:

NP1 - Supporting Development
CS1 - Distribution of Development
CS5 - Green Belt
CS8 Sustainable Transport
CS9 Management of Roads
CS10 Quality of Settlement Design
CS11 Quality of Neighbourhood Design
CS12 Quality of Site Design
CS13 Quality of the Public Realm
CS17 New Housing
CS18 Mix of Housing
CS26 Green Infrastructure
CS29 Sustainable Design and Construction
CS30 Sustainability offsetting
CS31 Water Management
CS32 Air, Soil and Water Quality
CS35 Infrastructure and Developer Contributions

Saved Policies of the Dacorum Borough Local Plan 1991-2011

Policies 10, 13, 18, 21, 51, 54, 55, 58 and 99. Appendices 3, 5 and 7

Supplementary Planning Guidance/Documents:

Parking Standards SPD (2020)
Roads in Hertfordshire, Highway Design Guide 3rd Edition (2011)
Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice (2011)
Chipperfield Village Design Statement (2001)
Chipperfield Conservation Area Character Appraisal & Management Proposals (2009)
Environmental Guidelines (2004)

9. CONSIDERATIONS

Main Issues

9.1 The main issues to consider are:

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

Principle of Development

- 9.2 The application site lies within the Metropolitan Green Belt wherein policy CS5 of the Core Strategy states that the Council will apply national Green Belt policy to protect the openness and character of the Green Belt, local distinctiveness and the physical separation of settlements. It does however state that small-scale development will be permitted, for example, for the replacement of existing buildings for the same use.
- 9.3 The above is further supplemented by policy CS6 which further adds that, within Chipperfield, proposals for the replacement of existing buildings would be acceptable, provided that it is sympathetic to its surroundings, including the adjoining countryside, in terms of local character, design, scale, landscaping and visual impact; and that it retains and protects features essential to the character and appearance of the village.
- 9.4 The above local policies are considered to be consistent with the language of the NPPF, which states in paragraph 149 that local planning authorities should regard the construction of new buildings as inappropriate in the Green Belt. There are however a list of exceptions to inappropriate development and this includes d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.
- 9.5 The site has benefitted from two previous planning permissions (now time expired) for the conversion of the existing building into a residential dwelling. As part of both the 2014 and 2017 applications, the case officer was satisfied that the building was in an appropriate residential use, being an ancillary residential storage purpose. As such, the proposal relates to the replacement of a building that is in the same use and is therefore acceptable in principle subject to the new building being not materially larger than the one it replaces (NPPF para 149).
- 9.6 The proposal therefore turns on whether the proposed building is 'materially larger' than the one it replaces. The NPPF does not define what is meant by 'materially larger' and as such, cases must be assessed on their own individual merits. A quantitative assessment can inform this discussion as well as an overall qualitative assessment of the potential impact of the proposed development with respect to harm to Green Belt. The volume and floorspace over two floors is larger than the existing building and as such the replacement

dwelling is considered to result in a materially larger building in volume and size terms than the one it is replacing.

	Footprint m2	Floorspace m2	Volume m3
Existing building	112	112	345
Refused scheme	97 (13% decrease)	194 (73% increase)	534 (54% increase)
Proposed	99 (11% decrease)	162 (44% increase)	424 (23% increase)

- 9.7 Whilst there is not an insignificant increase in floorspace terms, there is considerable improvement in terms of amount and scale over the previously refused scheme. It is noted that the dwelling would be of a size consistent with other dwellings locally, including those on Tower Hill and Tenements Farm Lane. The eaves and ridge height of the dwelling have been kept low to reduce the massing and bulk of the dwelling. Moreover the dwelling would be sited within a particularly large plot, meaning that the new dwelling would not appear cramped or an overdevelopment of the site. Conversely, the existing building being single storey makes it an anomaly for the area, in which two storey built form is prevalent. In terms of 'very special circumstances' the increase in volume is largely due to increasing the height of the building and eaves level which allow for a practical usable dwelling designed in a way that is more in keeping with the character of the surroundings compared to the previous permissions which converted the building. On the basis that the increase in volume is somewhat due to enabling a practical useable family home that is of a smaller footprint than the existing building, it is considered that very special circumstances exist to allow the increase in volume taking account the reduced scale and size of the building from the refused scheme.
- 9.8 Whilst the increase in floorspace and volume has been considered, this is only one measure of impact to Green Belt openness. In applying policy CS6 of the Core Strategy, it is apparent that the proposal would assimilate well with its surroundings, and would respect the positioning of built form along Tenements Farm Lane as well as the scale, height etc. of neighbouring built form.

Impact on the openness of the Green Belt

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

Quality of Design / Impact on Visual Amenity

- 9.11 Policies CS11 and CS12 of the Core Strategy state that development should respect the typical density intended in an area and enhance spaces between buildings and general character; preserve attractive streetscapes and enhance any positive linkages between character areas; avoid large areas dominated by car parking; retain important trees or replace them with suitable species if their loss is justified; plant trees and shrubs to help assimilate development and softly screen settlement edges; integrate with the streetscape character; and respect adjoining properties in terms of layout, security, site coverage, scale, height, bulk, materials and landscaping and amenity space.
- 9.12 The Chipperfield Village Design Statement (2001) provides a number of design guidelines relating to the scale, design, height, use of materials etc. which should be adhered to for development in the village. This includes that proposals should avoid a deep floor plan in order to reduce the bulk of the roof and that buildings should be designed in such a way as to reduce the appearance of the bulk and to fit into their site and surroundings.
- 9.13 As already set out in the above section of the report, the proposed dwelling would be considered to respect adjacent built form, including following the established building line along Tenements Farm Lane. Whilst the building would be larger than that which it replaces, it would not be of a scale or height that would look out of character in the streetscene. The overall design does not appear unduly bulky at roof level. The track at the front of the property is also a public right of way (Chipperfield 012). This means that the dwelling would be visible to any passers-by and users of the PROW. However for the reasons set out in this report, the dwelling would have an acceptable appearance and be set back from the PROW in line with existing built form along this row.
- 9.14 The Council's Conservation and Design Officer has no objections and, recommendations to reduce the single storey rear projection have been followed with subsequent amended plans.
- 9.15 With regard to the proposed materials, the plans suggest a brick plinth all with black cedar weatherboard cladding and grey aluminium windows, the pitched roofs are to be finished with plain tiles and the gutters and downpipes would comprise of black coloured PVC. The quality of the finished materials shall be secured by condition. The proposed materiality is acceptable and seeks to draw on agricultural barn legacy of the site, in character and appearance.
- 9.16 As noted by the neighbours, a significant amount of vegetation has been removed from the site, so the current situation on site is not as shown in the submitted design and access statement. Further concerns have been raised with the removal of trees and the likely removal of further trees to the northern end of the site, where the trees have been damaged near the base of their trunks. Whilst the loss of vegetation at this site is unfortunate, there are no Tree Preservation Orders in place and the vegetation was not located within the Conservation Area. As such the applicant could lawfully remove this vegetation without requiring any form of consent. As for this current application however, it is now more apparent that the dwelling would be seen from the rear gardens of properties in Tower Hill. As part of any grant of planning permission, it would be appropriate to impose a planning condition requiring details of the hard and soft landscaping to be submitted to the LPA. As part of any landscaping scheme, the LPA would expect to see a reasonable amount of new soft planting, commensurate with the scale of development proposed. It should also be noted that new tree planting is required under policy CS29.
- 9.17 Whilst the front of the site would largely be given over to car parking and turning space, this is typical for this part of Chipperfield, particularly along Tower Hill where opportunities for

on-street parking are limited. Similarly, along Tenements Farm Lane on-street parking would be difficult given the predominantly single car width of the track. As such, it appears appropriate to provide sufficient parking and turning space at the front of the dwelling in this instance.

- 9.18 The proposal is therefore considered to be acceptable in design and visual terms, subject to conditions, and therefore accords with policies CS11 and CS12 of the Core Strategy, and adheres to the guidance and principles of the NPPF and the Chipperfield Village Design Statement.

Impact on Designated Heritage Assets

- 9.19 Policy CS27 of the Core Strategy states that all development will favour the conservation of heritage assets. The integrity, setting and distinctiveness of designated and undesignated heritage assets will be protected, conserved and if appropriate enhanced. Paragraph 199 of the NPPF requires local planning authorities to give great weight to the asset's conservation and the more important the asset, the greater this weight should be. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 9.20 Saved Policies 119 and 120 of the Dacorum Borough Local Plan state that every effort will be made to ensure that any new development liable to affect the character of an adjacent listed building will be of such a scale and appearance, and will make use of such materials, as will retain the character and setting of the listed building; and new developments or alterations or extensions to existing buildings in the conservation areas will be permitted provided they are carried out in a manner which preserves or enhances the established character or appearance of the area.
- 9.21 It is however recognised the Saved Policies 119 and 120 are not entirely consistent with the language of the NPPF as they do not go on to identify the level of harm and the fact that this would need to be weighed against the public benefits of a scheme. These policies are otherwise considered to be consistent with the aims of national policy and can be given significant weight in decision making.
- 9.22 Sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990 places a statutory duty on local authorities to have special regard to the desirability of preserving listed buildings, their setting, or any features of special architectural or historic interest which it possesses, as well as to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.
- 9.23 The application site lies outside of, but adjacent to, the Chipperfield Conservation Area and the site also lies adjacent to two listed buildings which front Tower Hill, which are No.1 Tower Hill and Mulberry Cottage (No.3 Tower Hill), as well as The Paddock public house (formerly The Boot) which is also within the vicinity of the site. The significance of the two dwellings in heritage terms appears to lie in their architecture, design and detailing. This includes the use of orange bricks, hanging tiles to the upper parts of the elevations and detailing to the gable roof elements, as well as their use of grand chimney stacks. Part of their significance also appears to rest in their positioning and proximity to the highway, with No.1 Tower Hill being in a prominent corner position with well-tended gardens. The historic significance of the pub appears to comprise of its design, appearance and materiality, but most likely in its historic use as a public house and positioning within the settlement.
- 9.24 A large portion of vegetation that previously existed at the front of the site has since been removed. This means that the front of the site and the proposed dwelling would be more visible from Tower Hill than would have previously been the case. This is because the

access track known as Tenements Farm Lane lies adjacent to a gap to the north of The Paddock leading to its car park, which therefore creates a sizeable gap and allows for views towards the application site. Notwithstanding this, Mulberry Cottage benefits from a fairly substantial outbuilding at the rear of its plot which would go some way towards disguising the dwelling from Tower Hill. As such the dwelling would not be considered unduly prominent and it is also important to note that the new dwelling would be viewed in the context of surrounding built form, including Finch Cottage.

- 9.25 Therefore, having regard to the above identified heritage significance, it is not considered that the proposal would adversely affect the setting of any listed building nor would it impact upon their significance.
- 9.26 With more specific regard to the Conservation Area, the proposals would, as set out above, respect the typical layout, height and use of materials used locally, including properties within the adjoining Chipperfield Conservation Area. It is also noted that the Conservation and Design Officer has raised no objections in this regard, nor to the demolition of the existing building. The proposals would therefore be considered to respect the site, streetscene and local area and as such, would not result in material harm to the character or appearance of the adjacent Conservation Area. The proposal is considered to comply with policy CS27 of the Core Strategy, saved policies 119 and 120 of the DBLP and complies with the Framework in this regard.
- 9.27 Should Members conclude that the proposals would result in harm to the adjacent Conservation Area, it would then be appropriate to weigh this harm against the public benefits of the scheme. Public benefits would exist, in economic terms, from the construction of the development itself and the subsequent occupation of the dwelling, whose occupiers would contribute towards the local economy, such as through paying council tax or by using local services and facilities, such as supermarkets etc. The proposals would also make a modest addition to the Borough's housing supply which is a benefit to be attributed significant weight in decision making.

Impact on Residential Amenity

- 9.28 Policy CS12 of the Core Strategy states that development should provide a safe and satisfactory means of access for all users; and avoid visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to the surrounding properties. Paragraph 130 of the NPPF adds that proposals should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 9.29 Consistent with saved policy appendix 3, Building research establishment report "Site Layout for Daylight and Sunlight" is a useful starting point to indicate if a development will likely have a negative impact upon daylight/sunlight issues. There are some concerns about the scale of the development and its potential impacts upon daylight and sunlight to neighbouring properties. If a new building or extension breaches a perpendicular line at an angle of 25 degrees above the horizontal taken from a point 2 metres above ground level on an existing house, it is likely that windows in the existing house will have adverse daylight and sunlight impacts. The proposals would appear to respect this this guidance and therefore unlikely to impact sunlight or daylight significantly to any neighbouring primary windows serving habitable rooms.
- 9.30 The proposed siting and scale of the property is unlikely to have any harmful effects upon neighbouring amenity. Given the lengths of gardens in Tower Hill, it is considered that these separation distances are sufficient to ensure no unreasonable harm would occur. Distances exceeding 23m between a rear elevation and side elevation are typically

considered an acceptable relationship. The new dwelling would be separated from the neighbour to the north, Clovelly (New Road), by some 58m and it is not therefore considered that any unreasonable harm would occur to that neighbour.

Finch Cottage benefits from a gap on their side of the shared boundary of around 9.6m, which is predominantly used for car parking. The plans approved as part of a recent extension for Finch Cottage (ref: 20/03841/FHA) show that this neighbour benefits from a number of openings to its western flank elevation, which serve a boot room/utility and entrance porch. A new kitchen window is included as part of the approved extension to this neighbour, although this is set much farther away from the shared boundary. At first floor level, Finch Cottage benefits from a bathroom window above the entrance, which is not a habitable room. Similar to the kitchen window, there is a bedroom window within the rear extension which faces the application site, but this is set much farther away from the shared boundary. As with the kitchen, this bedroom also benefits from a second window facing the rear garden of Finch Cottage. Taking all of the above into account, it is not therefore considered that the proposal would unreasonably affect this western elevation of the neighbouring property nor would the driveway or parking areas be unreasonably affected, given their use is not the primary enjoyment of Finch Cottage.

- 9.31 With regard to the potential for overlooking, it is inevitable that any first floor windows in the rear elevation would increase some degree overlooking, however direct views would not be afforded into neighbouring gardens. The views afforded from the rooflights in the rear elevation would be consistent with the residential character of the area. The proposal no longer includes windows at first floor level in the side elevations.
- 9.32 The dwelling would follow the existing building line along Tenements Farm Lane and the garden depth would be consistent with those neighbouring properties. The plot size, and subsequently the garden size, would be akin to that of Oakleigh House to the north-east, for example. As such, it is considered that the proposal would not unreasonably affect the residential amenity of any neighbouring property.
- 9.33 The Council has not formally adopted the Government's Nationally Described Space Standards, although it does intend to as part of the new emerging Local Plan. These national standards state that four-bed dwellings over 2 storeys should be a minimum of 124sqm in size (GIA). The proposed dwelling would have a floor area of around 162sqm which therefore demonstrates compliance with these national standards. The proposal would therefore be acceptable having regard to the living conditions of the future occupiers of the development and the proposal accords with policy CS12 of the Core Strategy and the NPPF.

Impact on Highway Safety and Parking

- 9.34 Policy CS12 of the Core Strategy and paragraph 110 of the NPPF requires development to provide safe and suitable access for all users. Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 9.35 In this regard the Highway Authority have been consulted who note that Tenements Farm Lane is also a public right of way (Chipperfield 012). This track is not part of the adopted highway network and on that basis, the Highway Authority do not object to an access being provided onto this track. They have however suggested planning informatives that should be included as part of any grant of planning permission.

- 9.36 With regard to parking, the submitted plans indicate that three spaces would be provided at the front of the site along with sufficient space for turning on site, so that vehicles can exit in a forward gear. The Parking Standards SPD requires dwellings with 4 bedrooms to be provided with three parking spaces and therefore the proposal would comply in this regard.
- 9.37 The SPD also requires all new development to provide an electric charging point for each new dwelling created, to promote the use of electric vehicles. This is now part building regulations and there is no need to seek this via condition. Subject to this condition, it is therefore considered that the proposal would be acceptable, having regard to the access arrangements and the parking provision. The proposal therefore accords with policy CS12 of the Core Strategy, the Parking Standards SPD and accords with the NPPF.

Other Material Planning Considerations

- 9.38 Thames Water were consulted but no reply has been received. Affinity Water have confirmed that they have no comments to make on the application.
- 9.39 Officers are satisfied it should be possible to achieve sustainable design and construction of the development to meet the objectives of CS29 by condition.
- 9.40 Decision makers must have regard to their duties to protect wildlife under other sources of legislation including:
- The Environment Act 2021
 - The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019.
 - Wildlife and Countryside Act 1981 as amended.
 - Countrywide and Rights of Way Act 2000.
 - Natural Environment and Rural Communities Act 2006.
- 9.41 There is limited information to suggest there are protected species or areas of ecological or habitat significance in the vicinity, Whilst Biodiversity is encouraged on sites it is not yet mandatory. Mandatory biodiversity net gain as set out in the Environment Act requires amendments to the Town & Country Planning Act (TCPA) and is likely to become law in 2023. A condition requiring a bat survey of the building prior to demolition shall be required to rule any potential harm as a precautionary measure. Informatives shall be attached to a grant of permission to remind the developer to keep watching brief and to comply with their duties under other areas of legislation with regards to the enhancement and protection of biodiversity, wildlife and statutory protected species.
- 9.42 Whilst some construction noise will inevitably occur during the construction phase this can be controlled either by condition or through environmental health legislation regarding reasonable hours of construction. The addition of two houses in a residential location would not give rise to adverse noise impacts.
- 9.43 Policy CS29 of the Core Strategy states that development should normally provide an adequate means of water supply, surface water and foul drainage.
- 9.44 As the site area is below 1 hectare, is not located within an area at risk of flooding (Flood Zone 1) and is not located within a Critical Drainage Area, no flood risk assessment is required. As the application is not for major development, therefore the Lead Local Flood Authority have not been consulted on the application.
- 9.45 Whilst noting that no details of proposed drainage have been provided at this time, National Planning Policy Guidance states that conditions requiring compliance with other regulatory requirements (e.g. Building Regulations) will not meet the test of necessity.

- 9.46 In this instance it would be reasonable and necessary to remove permitted development rights for the further enlargement of the dwelling once developed, including Classes A, B, C and E of Part 1, Schedule 2 of the General Permitted Development order (2015) (as amended). This would enable the Local Planning Authority to retain control over the development in the interests of safeguarding the residential and visual amenity of the locality in accordance with Policies CS5, CS6, CS12 and CS27 of the Dacorum Borough Core Strategy (2013) and Paragraph 130 of the National Planning Policy Framework (2021) and to ensure that the building does not become materially larger than the one it replaces and preserve the openness of the Green Belt and the purposes of including land within it consistent with Core Strategy policies CS1, CS5 and CS6 and section 13 of the NPPF (2021)

Chiltern Beechwood Special Area of Conservation

- 9.46 Following a letter from Natural England on the 14th March and publication of Footprint Ecology Report, the Council is unable to grant permission for planning applications which result in a net gain of dwellings located within the zone of influence of the Chiltern Beechwoods Special Area of Conservation (CBSAC) until an appropriate assessment of the scheme can be undertaken and appropriate mitigation secured to offset the recreational pressures and adverse effects of new development to the CBSAC.
- 9.47 The Council is working with Natural England and other relevant partners to agree a mitigation strategy and once adopted this will enable the Council to carry out their legal duties and grant residential development in the Borough. Once adopted, the mitigation strategy is likely to require financial contributions from developers to mitigate the additional recreational pressure placed on Ashridge Common and Tring Woodlands as a standard contribution per dwelling.
- 9.48 However, at this time, in the absence of a mitigation strategy, there is insufficient evidence to allow the Council to rule out that the development would not cause additional reactional pressure to the CBSAC and that its impacts, whether alone or in combination, could be avoided or mitigated so as to ensure that the integrity of the SAC would be preserved. However, the council should continue to work pro-actively in reaching a resolution on planning applications subject to securing the above.
- 9.49 Therefore, should Members be minded to approve the application, it is proposed that the decision be held in abeyance until such time as a mitigation strategy has been agreed and the Council can thereafter satisfy its legal duties under the Conservation of Habitats and Species Regulations 2019 (as amended).

Response to Neighbour Comments

- 9.50 These points have been addressed in the relevant sections of the report above. It is however noted that particular concerns have been raised with the loss of vegetation at the site, which has already taken place, meaning that the new dwelling would be visible from the rear windows and gardens of properties in Tower Hill. The loss of vegetation and trees is unfortunate, however it was not protected and therefore could have been lawfully removed in any case. A timber close-boarded fence has been erected to all boundaries and new soft planting can be secured via a planning condition.
- 9.51 It is noted after the submission of amended plans the parish council, stated no comment in its re-consultation whereas initially they raised objections to the scheme.

Community Infrastructure Levy (CIL)

9.52 The development would be liable for CIL and payment would become due at the time of works commencing on site unless any relevant exemption is successfully applied for prior to commencement (e.g self-build exemption). This would need to be discussed with the Council's CIL officer prior to works commencing on site. Please refer to the Council's website for further information.

10. CONCLUSION

10.1 The proposal seeks to replace an existing building which is in an existing residential ancillary use. The proposed dwelling is considered to be materially larger than the building it replaces however there are 'very special circumstances' to justify the small increase in volume which is largely as a result of the increase in height and eaves level to allow for a practical usable small dwelling.

10.2 In design terms, the dwelling would respond well to its context, with its positioning following the established building line. Similarly the height of the dwelling and use of materials would ensure that the dwelling does not appear unduly prominent in the streetscene. Details of the materials and hard and soft landscaping would be sought via a planning condition.

10.3 The proposal would not result in undue harm to neighbouring amenity.

10.4 The proposals would be acceptable having regard to highway safety and sufficient parking and turning space would be provided on-site in accordance with the Parking Standards SPD.

10.5 The proposal would make a modest addition to the Borough's housing supply which is a matter to be attributed significant weight in decision making. Similarly, there would be economic benefits from the construction of the development and subsequent occupation of the dwelling.

11. RECOMMENDATION

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

Condition(s) and Reason(s):

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

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

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

Reason: To identify and ensure the survival and protection of important species and those protected by legislation that could be adversely affected by the development, having regard

to Policies CS26 and CS29 of the Dacorum Borough Core Strategy and Paragraph 174 of the National Planning Policy Framework (2021).

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

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

4. **No development shall take place above slab level until full details of both hard and soft landscape works has been submitted to and approved in writing by the Local Planning Authority. These details shall include:**

- the proposed garden shed;
- all external hard surfaces within the site;
- other surfacing materials;
- means of enclosure;
- soft landscape works including a planting scheme with the number, size, species and position of trees, plants and shrubs;
- minor artefacts and structures (e.g. furniture, play equipment, signs, refuse or other storage units, etc.); and
- retained historic landscape features and proposals for restoration, where relevant.

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

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

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

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

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

Reason: To enable the Local Planning Authority to retain control over the development in the interests of safeguarding the residential and visual amenity of the locality in accordance with Policies CS5, CS6, CS12 and CS27 of the Dacorum Borough Core Strategy (2013) and Paragraph 130 of the National Planning Policy Framework (2021) and to ensure that the building does not become materially larger than the one it replaces and preserve the

openness of the green belt and the purposes of including land within it consistent with Core Strategy policies CS1, CS5 and CS6 and section 13 of the NPPF (2021)

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

FP21871-02A AMENDED PROPOSED PLANS AND ELEVATIONS

FP21871-10A AMENDED PROPOSED SITE LAYOUT

FP21871-21A AMENDED PROPOSED SITE BLOCK PLAN AND LOCATION PLAN

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. The Public Right of Way(s) should remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during works. Safe passage past the site should be maintained at all times for the public using this route. The condition of the route should not deteriorate as a result of these works. Any adverse effects to the surface from traffic, machinery or materials (especially overflows of cement & concrete) should be made good by the applicant to the satisfaction of the Highway Authority. No materials shall be stored or left on the Highway including Highway verges. If the above conditions cannot reasonably be achieved, then a Temporary Traffic Regulation Order (TTRO) would be required to close the affected route and divert users for any periods necessary to allow works to proceed, for which a fee would be payable to Hertfordshire County Council. Further information is available via the County Council website at <https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/countryside-access/rightsof-way/rights-of-way.aspx> or by contacting Rights of Way, Hertfordshire County Council on 0300 1234047.
3. In accordance with the Councils adopted criteria, all noisy works associated with site demolition, site preparation and construction works shall be limited to the following hours - 07:30 to 17:30 on Monday to Friday, 08:00 to 13:00 on Saturday and no works are permitted at any time on Sundays or bank holidays.
4. Dust from operations on the site should be minimised by spraying with water or carrying out of other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Practical Means (BPM) should be used at all times. The Applicant is advised to consider the control of dust and emissions from construction and demolition Best Practice Guidance, produced in partnership by the Greater London Authority and London Councils.
5. Biodiversity enhancements could be incorporated into the development proposal. These could be in form of bat and bird boxes in trees, integrated bat roost units (bricks and tubes) in buildings, specific nest boxes for swifts, swallows and martins, refuge habitats (e.g. log piles, hibernacula) for reptiles at the site boundaries, etc. These should be considered at

an early stage to avoid potential conflict with any external lighting plans. Advice on type and location of habitat structures should be sought from an ecologist.

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

7. In the event that ground contamination is encountered at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority with all works temporarily suspended until a remediation method statement has been agreed because, the safe development and secure occupancy of the site lies with the developer.

8. Materials or conditions that may be encountered at the site and which could indicate the presence of contamination include, but are not limited to:

Soils that are malodorous, for example a fuel odour or solvent-type odour, discoloured soils, soils containing man-made objects such as paint cans, oil/chemical drums, vehicle or machinery parts etc., or fragments of asbestos or potentially asbestos containing materials. If any other material is encountered that causes doubt, or which is significantly different from the expected ground conditions advice should be sought.

9. The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Parish/Town Council	<p>Application 22/00919/FUL</p> <p>The Parish and other local residents have concerns regarding this scheme which follows the previous scheme (21/04277/FUL) refused at DMC.</p> <p>This revised scheme does not resolve issues raised in the previous scheme</p> <p>Firstly, the site has been cleared since the submission of the previous scheme contrary to the case officer's previous pre-app advice for this site.</p> <p>This site is within the setting of the Chipperfield Conservation Area. In this respect, the approach of officers needs to accord with the 2021</p>

	<p>Framework.</p> <p>The previous scheme had a lucid concern from the Heritage Officer. It would be of great use to all parties if the HO in appraising this revised scheme could crystallise their concerns into one of the three levels of harm set out in Paragraphs 201 and 202 and in doing so assist officers in engaging the correct policy test. It is important that it is heritage experts who make judgements regarding the level of harm. The threshold set out in Paragraph 202 is a low one, and many authorities set a threshold as low as the erection of a garage or the addition of a dormer window. Even though the site is outside the Conservation Area it is within its setting and the framework does not distinguish between harm to Heritage Assets and harm to their attendant settings.</p> <p>To the detriment of the assessment of the previous scheme, the case officers focussed much attention on the floor areas of the two buildings. We pointed out that in the Green Belt 'volume is king', yet no actual volumetric calculations were presented in the officer report. Without this information, it is difficult to make a balanced judgement about the impact on the openness of the Green Belt. This revised scheme may have reduced volume, but this is at the cost of increased 'footprint spawl' across the site which makes it difficult to justify as acceptable development within the green belt.</p> <p>The applicant has not drawn reference to the Chipperfield Village Design Statement (adopted supplementary planning guidance) which has useful guidance for designers to achieve an overall design more compatible with the scale of other village houses. In particular, it supports the adoption of L or T plan shaped buildings that can sit well as part of the street scene and avoids excessive bulk viewed from any aspect. In this instance, an L shaped plan would work well and would achieve at least the same internal floor area of this proposal at an acceptable scale and bulk.</p> <p>In conclusion, this is a sub-standard scheme and we encourage DBC case officers and the conservation team to engage with the applicant to achieve a suitable scheme appropriate within the setting of the Conservation Area.</p>
<p>Conservation & Design (DBC)</p>	<p>The application site lies outside, but immediately adjacent to the boundary of the Chipperfield Conservation Area, at its northernmost point. The Conservation Area boundary follows the rear boundary of the Paddock Public House to the lane then returns south-east along the front of the application site and returns northwest again to follow the rear garden boundaries of 1 and 3 Tower Hill. The roof of the existing building can be just discerned from Tower Hill. As such, any impact upon the setting of the conservation area and its significance needs consideration.</p> <p>Following refusal of a previous scheme for demolition of the outbuilding and construction of a 4-bed dwelling a revised scheme has</p>

	<p>been submitted.</p> <p>The current scheme proposes a 1 ½ storey dwelling with traditionally pitched gable roof, it would be clad in weather-board with brick plinth and tile roof. The flank elevation with gable end which faces Tower Hill / the Conservation Area boundary is modest in scale and proportion (an improvement on the previous scheme with its higher eaves and deep flank elevation) and is considered to respect the setting of the Chipperfield Conservation Area.</p> <p>In design terms it is noted the house extends, in a rather uncharacteristic fashion, with linked single storey additions to the rear. Whilst there is no issue with this in terms of setting of the Conservation Area a more compact dwelling, perhaps with a 1 ½ storey rear wing (to form a T-shape) and single storey additions would be more characteristic of local built form.</p> <p>The current application preserves the setting of the Chipperfield Conservation Area in accordance with policy CS27 and the conservation based policies within the NPPF, no objection.</p>
Hertfordshire Highways (HCC)	<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 provisions of the Highway Act 1980:</p> <p>AN 1) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.</p> <p>Further information is available via the County Council website at: https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx or by telephoning 0300 1234047.</p> <p>AN 2) The Public Right of Way(s) should remain unobstructed by</p>

vehicles, machinery, materials, tools and any other aspects of the construction during works. Safe passage past the site should be maintained at all times for the public using this route. The condition of the route should not deteriorate as a result of these works. Any adverse effects to the surface from traffic, machinery or materials (especially overflows of cement & concrete) should be made good by the applicant to the satisfaction of the Highway Authority. No materials shall be stored or left on the Highway including Highway verges. If the above conditions cannot reasonably be achieved, then a Temporary Traffic Regulation Order (TTRO) would be required to close the affected route and divert users for any periods necessary to allow works to proceed, for which a fee would be payable to Hertfordshire County Council. Further information is available via the County Council website at <https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/countryside-access/rightsof-way/rights-of-way.aspx> or by contacting Rights of Way, Hertfordshire County Council on 0300 123 4047.

Comments

The proposal is for the demolition of existing outbuilding and construction of new dwelling, with new access and associated works on Land Adjacent To Finch Cottage, Tower Hill, Chipperfield. The new dwelling will be located off of Chipperfield Footpath 012 which is not part of the adopted highway network but does have a rights of way routes along it.

The new dwelling will use a new access while incorporating the existing access onto Chipperfield Footpath 012. The applicant would need to be satisfied that they have the appropriate private vehicular rights over the public footpath to be able to reach the new dwelling.

Provision would need to be made for an on-site bin-refuse store within 30m of the dwelling and within 25m of the kerbside/bin collection point. The collection method must be confirmed as acceptable by DBC waste management.

The proposed dwelling is within the recommended emergency vehicle access of 45 metres from the highway to all parts of the building. This is in accordance with the guidance in 'MfS', 'Roads in Hertfordshire; A Design Guide' and 'Building Regulations 2010: Fire Safety Approved Document B Vol 1 - Dwellinghouses'.

Conclusion

HCC Highways would not wish to restrict a grant of permission for the site subject to the above informatives.

<p>Environmental And Community Protection (DBC)</p>	<p>With reference to the above planning application, please be advised Environmental Health would have no objections or concerns re noise, odour or air quality. However I would recommend the application is subject to informatives for waste management and construction working hours with Best Practical Means for dust, which we respectfully request to be included in the decision notice.</p> <p>Working Hours Informative Contractors and sub-contractors must have regard to BS 5228-2:2009 "Code of Practice for Noise Control on Construction and Open Sites" and the Control of Pollution Act 1974.</p> <p>As a guideline, the following hours for noisy works and/or deliveries should be observed: Monday to Friday, 7.30am to 5:30pm, Saturday, 8am to 1pm, Sunday and bank holidays - no noisy work allowed.</p> <p>Where permission is sought for works to be carried out outside the hours stated, applications in writing must be made with at least seven days' notice to Environmental and Community Protection Team ecp@dacorum.gov.uk or The Forum, Marlowes, Hemel Hempstead, HP1 1DN. Local residents that may be affected by the work shall also be notified in writing, after approval is received from the LPA or Environmental Health.</p> <p>Works audible at the site boundary outside these hours may result in the service of a Notice restricting the hours as above. Breach of the notice may result in prosecution and an unlimited fine and/or six months imprisonment.</p> <p>Construction Dust Informative</p> <p>Dust from operations on the site should be minimised by spraying with water or by carrying out of other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Practical Means (BPM) should be used at all times. The applicant is advised to consider the control of dust and emissions from construction and demolition Best Practice Guidance, produced in partnership by the Greater London Authority and London Councils.</p> <p>Waste Management Informative Under no circumstances should waste produced from construction work be incinerated on site. This includes but is not limited to pallet stretch wrap, used bulk bags, building materials, product of demolition and so on. Suitable waste management should be in place to reduce, reuse, recover or recycle waste product on site, or dispose of</p>
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	appropriately.
Parish/Town Council	No comment
Natural England	<p>22/00919/FUL</p> <p>NATURAL ENGLAND'S ADVICE OBJECTION - FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON DESIGNATED SITES - DEVELOPMENT WITHIN 12.6 KILOMETRES OF CHILTERN'S BEECHWOODS SPECIAL AREA OF CONSERVATION (SAC)</p> <p>Between 500 metres to 12.6km from Chilterns Beechwoods SAC, a Habitats Regulations Assessment is required to determine Likely Significant Effect. Mitigation measures will be necessary to rule out adverse effects on integrity.</p> <p>Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.</p> <p>Please re-consult Natural England once this information has been obtained.</p>

APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
11	7	0	7	0

Neighbour Responses

Address	Comments
<p>9 Tower Hill Chipperfield Kings Langley Hertfordshire WD4 9LJ</p>	<p>I wish to object to the current proposal on the following grounds.</p> <p>1) General As a neighbour adjoining the property in question we understand the desire to develop on this piece of land - however we find the current applicant has had scant regard for the surroundings, nor the privacy of adjoining properties which has already been needlessly compromised.</p> <p>The property adjoins a conservation area on 2 sides and for this reason additional care and attention should be given to development.</p> <p>The reasons for rejection of previous application (21/04277/FUL) do not appear to have been understood nor used a guide to present a more appropriate application. A point of view shared by the local Parish Council.</p>

	<p>2) Ecology As provided in separate email & photo evidence to planning officer the application has incorrectly stated there are no shrubs and trees on the plot of land.</p> <p>This is in addition to the developer/applicant removing large swathes of hedges/shrubs on the adjoining boundary between this plot and Numbers 5,7 & 9 Tower Hill - before the application was approved.</p> <p>The existing large (approx. 30ft) trees have been ring-barked to lead to the death of the trees on the plot of land.</p> <p>3) Over development - Footprint of the building While the height of the main building has been slightly reduced from the previous application (21/04277/FUL) the height is still 1.3m higher than the current building.</p> <p>However the length of the proposed 3 x 'linked' buildings are in excess of 20.6m versus the current building which is 8.9m. This is an excessive increase in footprint meaning the buildings cover more than half the length of the plot, privacy for neighbours in Tower Hill is not only compromised from the main building but also the additional 'linked' buildings.</p> <p>The excessive footprint is to maximise the number of bedrooms for onward sale of the property.</p> <p>The current open space/garden area on the plot is radically reduced in size as a result of this large footprint, which again contradicts the Chipperfield Village Design Statement.</p> <p>There are no additional plans submitted in the application around landscaping / replacement of trees or repairing the harm already done by the applicant.</p> <p>4) Out of keeping with character of the area The proposal comprising of 3 "linked" buildings fails to respect the character, appearance & setting of the adjoining Conservation Area.</p> <p>A far more reasonable proposal would be in line with the application which was approved in 2017/2018 (4/03154/17/FUL)</p>
<p>Finch Cottage Tower Hill Chipperfield Langley Hertfordshire WD4 9LN</p>	<p style="text-align: center;">Kings</p> <p>I live at Finch Cottage and i note that my property is linked to this case and i would like to raise that Finch Cottage is not linked to this application.</p> <p>This application, in certain aspects, such as appearance from the street and the materials used, is an improvement on the previous submission (ref 21/04277/ FUL). However, the majority of the same issues in my previous objection remain. A copy of that document has been emailed to the planning officer for reference. When this current proposal is viewed against the existing building (as opposed to against the application you recently rejected) it is another proposal that does not fit within the planning framework and the 'very special circumstances' required to build in the</p>

Green Belt.

This submission again creates a building that is materially larger than the one it replaces; contrary to the NPPF which permits the replacement of a building providing it is not materially larger than the one it replaces.

This new proposal is 120% longer than the existing building. The height of the new, 20 metre long, development is increased by approximately 30% for over a quarter of the building and the remaining three quarters of the new building is approximately 87% of the maximum height of the existing building. Given these percentages it is difficult to understand how the increased sizes of the new building can be seen as 'not materially larger'.

Planning application ref 4/00164/19/ FHA, also in Tower Hill Chipperfield, is a planning application I believe shares similarities to this application. The application referred to sought to "link" the main house to the swimming pool via a single storey extension, creating a design very similar to this proposal. The application was rejected by the Council as it was deemed the extensions were disproportionate to the size of the original building. The Council also noted that "... although the extension would not be visually perceived from the surrounding area the proposed increase in built form... would result in significant increase in physical built presences on the site which would have a greater impact on the openness to the Green Belt. Therefore, the proposal would also not be considered acceptable under exception (g) of paragraph 145 of the NPPF (2019)."

I support the proposal to develop this plot, however both this and the previous application are attempting to go against Policy and Council advice. This Council was consulted on the suitability of developing this land under application 4/03227/14/FUL . The Council granted permission for a sympathetic development that didn't receive any objections from residents or the Parish Council.

As with his previous submission it seems that the developer has not attempted to work in conjunction with this permission or take the advice in the Pre-Application Advice Letter that expressly stated ... "The outbuilding is surrounded by mature trees. Any conversion would need to ensure that no harm to these trees arises"... as the Council is aware the developer has completely removed these trees.

Furthermore the existing proposals are in direct contravention of the advice in the Pre-Application Advice Letter which expressed that the privacy of Finch Cottage was a significant consideration in any development to the site stating:" the key priority in the Green Belt is to ensure that the openness is not harmed by development and any alterations to the building, to allow for its conversion, will need to ensure that the height and size is not increased", "the windows and doors would also need to be positioned where they would not result in loss of privacy to Finch Cottage itself or adjoining neighbours." That letter continued "it is not considered that conversion to a dwelling would significantly result in harmful impacts to these properties as

long as windows and doors do not overlook into their gardens".

This proposal goes against the advice provided by the Council, as such I believe it should be rejected.

I repeat that I am objecting to this unsuitable application. However, if development occurs I request that all permitted development rights are removed from this property to prevent any further additions to the size of the building.