

**ITEM NUMBER: 5b**

<b>24/01915/FUL</b>	<b>Demolition of existing agricultural buildings, construction of 4 new dwellings, associated parking and landscaping.</b>	
<b>Site Address:</b>	<b>Tuffs Farm, Tower Hill, Chipperfield, Kings Langley, Hertfordshire, WD4 9LW</b>	
<b>Applicant/Agent:</b>	<b>Mr Russell Kitching</b>	<b>Rachel Wakelin</b>
<b>Case Officer:</b>	<b>Elspeth Palmer</b>	
<b>Parish/Ward:</b>	<b>Chipperfield Parish Council</b>	<b>Bovingdon / Flaunden / Chipperfield</b>
<b>Referral to Committee:</b>	<b>Contrary views of Chipperfield Parish Council.</b>	

**1. RECOMMENDATION**

That planning permission be refused.

**2. SUMMARY**

2.1 The proposed development would constitute inappropriate development in the Green Belt which by definition is harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

2.2 The very special circumstances put forward by the applicant do not outweigh the harm to the green belt and other harms resulting from the proposal.

2.3 The proposal will result in a detrimental impact on the designated heritage assets located within the site and the surrounding Chipperfield Conservation Area. The public benefits of the scheme are limited and do not outweigh the harm to these assets.

2.4 The proposed design, scale, bulk and materials will not be in character with the surrounding area or in accordance with the design guidance given in the Chipperfield Design Statement.

2.5 The applicant has not fully demonstrated why the loss of Grade 2 and 3 agricultural land is acceptable.

2.6 The amenity space proposed for each of the 4 dwellings is out of character and less in terms of size and shape than would be required for dwellings of this size.

2.7 The proposal is therefore contrary to Saved Policy 108 and Appendix 3 of the Dacorum Borough Local Plan, Policies CS5, CS10, CS11, CS12 and CS27 of the Core Strategy and the NPPF (2024) and the Chipperfield Design Statement.

**3. SITE DESCRIPTION**

3.1 Tuffs Farm lies on the south-western side of Tower Hill, Chipperfield opposite The Boot public house a Grade 2 listed building. The site is not within the village of Chipperfield but lies approx. 0.722 km (722 metres) away from the nearest edge of the designated area boundary of the village of Chipperfield.

3.2 The site includes Tuffs Farmhouse (grade II listed) a grade II listed barn and there are other modern / 20th century farm buildings to the immediate south of the barn and to the western end of the site. The site is visible from Tower Hill and in views from Stoney Lane, across the fields. Both historic listed buildings on the site have a strong linear quality and are aligned on an east-west basis with a yard between, this is shown on historic mapping - with the nineteenth century stable extension to the barn forming the western boundary of the yard.

3.3 There is an existing vehicular access to the site between the existing dwelling and the barn closest to the site boundary.

3.4 The site is located mostly within the Chipperfield Conservation Area (with the very northern edge being excluded) and within the Green Belt.

3.5 During the site visit it was noted that most of the barns were empty with the exclusion of those being used to park vehicles or store tiles and other building materials. The barn closest to the frontage of the site is currently being used by the applicant to store domestic equipment and for an office.

## **4. PROPOSAL**

4.1 Planning permission is sought for the demolition of the existing agricultural buildings, construction of 4 new dwellings with associated parking and landscaping.

### Background

In November 2023 a pre-application was received in relation to the application site, LPA reference 23/02307/PRDB for *“demolition of existing modern barns, improvement to the setting of the existing Listed Cottages and Barn. Construction of four new build residential barns with smaller footprint, floor area and volume than the existing, in a courtyard setting. Associated parking and landscaping and improved access.”*

It is considered that many of the issues raised by the Case Officer in the Pre Application have not been resolved in the current application.

24/01916/LBC was also submitted with the FUL application for this site for *“demolition of existing barns and repairs to the listed barn”*. This application can be recommended for approval so there is no requirement for it to be considered by the Development Management Committee.

## **5. PLANNING HISTORY**

Planning Applications (If Any):

24/00243/FUL - Works to finish floor level including dropping of floor level and underpinning of walls. Repair and refurbishment or replacement of existing windows and doors, Internal alterations including removal of internal partitions and modern doors, replacement staircases and sanitaryware. Repair and upgrade of services and internal decoration suitable for modern living conditions.

*GRANTED - 21st May 2024*

24/00244/LBC - Works to finish floor level including dropping of floor level and underpinning of walls. Repair and refurbishment or replacement of existing windows and doors, Internal alterations including removal of internal partitions and modern doors, replacement staircases and sanitaryware. Repair and upgrade of services and internal decoration suitable for modern living conditions.

*GRANTED - 29th April 2024*

24/01436/DRC - Details as required by condition 2 (window detailing) attached to planning permission 24/00244/LBC (Works to finish floor level including dropping of floor level and underpinning of walls. Repair and refurbishment or replacement of existing windows and doors, Internal alterations including removal of internal partitions and modern doors, replacement staircases and sanitaryware. Repair and upgrade of services and internal decoration suitable for modern living conditions).

*GRANTED - 22nd August 2024*

24/01916/LBC - Demolition of existing barns and repairs to the Listed barn.

*PCO – TO BE DETERMINED AFTER THE COMMITTEE MEETING*

4/02357/18/TCA - Work to trees

*RAISED NO OBJECTION - 1st November 2018*

4/01240/18/FHA - Proposed open main entrance porch. conversion of the ground floor of outbuilding (garage, tack room and workshop) to use as staff accommodation ancillary to the main dwelling house and installation of balustrading at first floor to create a terrace with

*GRANTED - 26th September 2018*

4/01239/18/FHA - Installation of bi-fold doors and new kitchen Window.

*GRANTED - 13th July 2018*

4/01723/16/TCA - Works to five lime trees

*RAISED NO OBJECTION - 2nd August 2016*

4/01086/16/FHA - Two storey side/rear extension to detached dwelling

*GRANTED - 22nd June 2016*

4/02398/14/TCA - Works to trees

*RAISED NO OBJECTION - 21st October 2014*

4/00371/13/LDP - Single storey rear extension

*REFUSED - 19th March 2013*

4/01978/12/DRC - Details of materials as required by condition 3 of planning permission

4/00455/12 (first storey rear extension )

*GRANTED - 23rd November 2012*

4/00257/12/LDP - Single storey rear extension and front porch

*GRANTED - 29th May 2012*

4/00456/12/CAC - Demolition of unstable wall and construction of single storey side extension and two storey rear extension with orangery

*WITHDRAWN - 7th January 2013*

4/00455/12/FHA - First storey rear extension

*GRANTED - 5th October 2012*

4/02410/08/FUL - Demolish existing house and outbuildings and construction of new dwelling  
*GRANTED - 27th April 2009*

4/02377/08/CAC - Demolition of existing house and outbuildings  
*GRANTED - 5th March 2009*

4/00107/06/LBC - Single storey extension (renewal)  
*GRANTED - 13th March 2006*

4/00106/06/FHA - Single storey extension (renewal)  
*GRANTED - 10th March 2006*

4/01778/05/FUL - Replacement dwelling  
*REFUSED - 14th October 2005*

4/01671/00/LBC - Single storey extension  
*GRANTED - 24th January 2001*

4/01670/00/FHA - Single storey extension  
*GRANTED - 24th January 2001*

4/00023/95/FHA - Boundary wall and entrance gates (resubmission)  
*REFUSED - 9th March 1995*

4/00083/94/FHA - Erection of boundary wall & gates  
*REFUSED - 16th March 1994*

4/00175/93/FHA - Garage/tractor shed  
*GRANTED - 2nd April 1993*

Appeals (If Any):

## **6. CONSTRAINTS**

Advert Control: Advert Spec Control

CIL Zone: CIL2

Conservation Area: CHIPPERFIELD

Green Belt: Policy: CS5

Heathrow Safeguarding Zone: LHR Wind Turbine

Parish: Chipperfield CP

RAF Halton and Chenies Zone: Green (15.2m)

RAF Halton and Chenies Zone: Red (10.7m)

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:

Planning (Listed Building and Conservation Areas) Act 1990 – Section 16(2) and 66(1)  
National Planning Policy Framework (2024)  
Dacorum Borough Core Strategy 2006-2031 (adopted September 2013)  
Dacorum Borough Local Plan 1999-2011 (adopted April 2004)

Relevant Policies:

### Core Strategy

NP1 - Supporting Development  
CS1 - Distribution of Development  
CS5 – The Green Belt  
CS8 – Sustainable Transport  
CS10 - Quality of Settlement Design  
CS11 - Quality of Neighbourhood Design  
CS12 - Quality of Site Design  
CS17 – New Housing  
CS18 – Mix of Housing  
CS25 – Landscape Character  
CS26 – Green Infrastructure  
CS27 – Quality of the Historic Environment  
CS28 – Carbon Emission Reductions  
CS29 - Sustainable Design and Construction  
CS31 – Water Management  
CS32 – Air, Soil and Water Quality

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

Policy 13 - Planning Conditions and Planning Obligations  
Policy 51 – Development and Transport Impacts  
Policy 54 – Highway Design  
Policy 55 – Traffic Management  
Policy 79 – Footpath Network  
Policy 80 – Bridleway Network  
Policy 99 – Preservation of Trees, Hedgerows and Woodlands  
Policy 101 – Tree and Woodland Management  
Policy 108 – High Quality Agricultural Land  
Policy 113 – Exterior Lighting  
Policy 120 – Development in Conservation Areas

Appendix 3 – Layout and Design of Residential Areas  
Appendix 8 – Exterior Lighting

### Supplementary Planning Guidance/Documents:

Chiltern Beechwoods Mitigation Strategy  
Place and Movement Planning and Design Guidance for Hertfordshire (2024)

Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice (2022)  
Accessibility Zones for the Application of Car Parking Standards (2020)  
Planning Obligations (2011)  
Chipperfield Village Design Statement (2001)  
Landscape Character Assessment for Dacorum (2004)

## 9. CONSIDERATIONS

### Main Issues

9.1 The main issues to consider are:

- Principle of development
- Impact on designated heritage assets
- The quality of design and impact on visual amenity
- Impact on heritage assets
- Loss of agricultural land and buildings
- Impact on residential amenity
- Impact on landscape character
- Impact on Highway safety and car parking
- Biodiversity Net Gain

### Principle of Development

9.2 The site is located within the Green Belt where the Council will apply Green Belt policy in accordance with the National Planning Policy Framework (NPPF) (2024) and Policy CS5 of the Core Strategy.

9.3 CS5 states that within the Green Belt small scale development will be permitted i.e.

- (a) building for the uses defined as appropriate in national policy;
- (b) the replacement of existing buildings for the same use;
- (c) limited extensions to existing buildings;
- (d) the appropriate reuse of permanent, substantial buildings; and
- (e) the redevelopment of previously developed sites\*, including major developed sites which will be defined on the Proposals Map

provided that:

- 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.

9.4 The new NPPF 2024 provides a new way of assessing development within the Green Belt.

9.5 Para 153 of the NPPF states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness (*Other than in the case of development on previously developed land or grey belt land, where development is not inappropriate.*)

9.6 Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

9.7 The definition of Previously Developed Land (PDL) has been amended but still excludes land that is or was last occupied by agricultural or forestry buildings so the site does not fit within the definition of PDL.

9.8 Grey Belt is a new term defined by the NPPF as for the purposes of plan-making and decision-making, 'grey belt' is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. 'Grey belt' excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.

9.9 Footnote 7 states that the policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 189) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75); and areas at risk of flooding or coastal change.

9.10 As the site lies within the Chipperfield Conservation area and comprises several listed buildings namely Tufts Farmhouse (grade II listed) a grade II listed barn the site does not fit the definition of grey belt.

9.11 The proposal does not fit within any of the exceptions listed in Para 154 of the NPPF.

9.12 Para 155 states that the development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where:

- a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;
- b. There is a demonstrable unmet need for the type of development proposed;
- c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework; and
- d. Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs below.

9.13 The proposed scheme does not utilise grey belt land so does not meet all the criteria listed within Para 155.

9.14 The conclusion then is that the proposed development is inappropriate development in the Green Belt and inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

9.15 The applicant has put forward four very special circumstances (VSC) which they consider clearly outweighs the harm by reason of inappropriateness and any other harm.

9.16 The VSC put forward include:

1. Significant improvements to the spatial and visual openness of the Green Belt;
2. Improvements to the Heritage Assets;
3. Improvements to visual appearance of the site and to neighbouring amenity; and
4. Contributions to the housing supply.

9.17 The LPA's response to the above VSC includes:

1. Significant improvements to the spatial and visual openness of the Green Belt

The Comparison table showing the existing and proposed floor areas, volume and hardstanding is acknowledged but many of the existing buildings are of an open nature with only 3 sides some offering views to the sky and they have very low eaves and ridge heights – these are not directly comparable to the buildings which are proposed which are solidly built structures with 4 walls and a roof.

There will be a sprawl of development across the site from the proposed scheme in terms of built structures and amenity land. House No. 2 and its garden, the garden of No. 3 and the house and garden of House No. 4 all project into open land. The amenity land will also potentially require residential paraphernalia which will have a greater impact on the openness of the Green Belt. The gardens will require boundary treatment and often other residential paraphernalia such as ornamental planting, hard landscaping, garden buildings and such like would in all likelihood increase over time.

It is clear from the two comparison 3D views provided in the Design and Access Statement that new dwellings and associated residential curtilages will result in greater sprawl across the site – especially when it is considered that the residential curtilages are not shown.

2. Improvements to the Heritage Assets

The Conservation Officer has agreed in the section below that there would be some small public benefit to the removal of the large steel frame farm building immediately to the south of the listed barn and the structures adjoining its western end will improve its immediate setting and enhance the Tower Hill street scene. But this benefit does not outweigh the harm of the 4 new dwellings proposed.

3. Improvements to visual appearance of the site and to neighbouring amenity

Please refer to the section below covering Quality of Design / Impact on Visual Amenity where an assessment is made on the impact of the proposed scheme on the visual appearance of the site and visual amenity.

4. Contributions to the housing supply.



It is acknowledged that the site could make a small contribution towards the housing target in Policy CS17 of the Core Strategy. Although the Council does not have a five-year housing land supply, it is clear in paragraph 11 (d) of the NPPF that the lack of supply will not out-weigh the clear reason for refusal for protected areas such as the designated heritage assets within the NPPF.

The Chipperfield Village Design Statement states that there is a concern for the lack of affordable housing, particularly for young people. The proposed scheme does not provide affordable housing.

The Parish Council also stated that there was a need for smaller dwellings such as 2/3 bedroom 'affordable' – this scheme will be providing 2 x 4 bed dwellings and 2 x 5 bed dwellings which do not fit within the sizes required (please refer to parking section for analysis of housing sizes).

9.18 To conclude looking at the very special circumstances put forward, some weight will be given to the increase in market housing however it is noted that none of the new properties would contribute towards affordable housing also the proposed development does not appear to provide any smaller residential units which might contribute towards the more varied housing needs within the Borough.

9.19 Limited weight would be given to the other 3 VSC put forward based on the above information and the assessments made within this report.

9.20 It is not considered that the VSC but forward outweigh the harm to the Green Belt.

9.21 Therefore, it is considered that the proposal for 4 new dwellings associated parking and landscaping is not acceptable in principle and is contrary to the NPPF (2024) paras. 11 d) and 153, 154 and 155.

#### Impact on Designated Heritage Assets

9.22 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard should be had to the desirability of preserving listed buildings or their setting. This means that considerable weight and importance must be given to any harm caused to designated heritage assets in the planning balance. Additionally, paragraph 193 of the National Planning Policy Framework 2023 advises that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to its conservation.

9.23 Para 135 of the NPPF (2024) states that planning decisions should ensure that developments are visually attractive as a result of good architecture and are sympathetic to local character.

9.24 Para 212 of the NPPF (2024) states when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the 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.

9.25 Para 215 of the NPPF (2024) states where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

9.26 Policy CS27 seeks to protect the integrity, setting and distinctiveness of designated and undesignated heritage assets. Policies CS10, CS11 and CS12 all place an emphasis on development respecting the character and appearance of the surrounding area.

9.27 The Conservation Officer was consulted and stated:

*“The farm buildings to be demolished are circa mid twentieth century utilitarian structures and whilst they are of little architectural merit they reflect the long-term historic use of the site as a farm both in terms of their design and layout.*

*There is no objection to the demolition of the existing modern farm buildings at Tuffs Farm and it is acknowledged that removing the large steel frame farm building immediately to the south of the listed barn and the structures adjoining its western end will improve its immediate setting and enhance the Tower Hill street scene. This is acknowledged as a public benefit.”*

9.28 Following the submission of further information and a photograph the Conservation Officer further advised that *“the information is sufficient to demonstrate that the removal of the modern barns/structures either abutting or adjoining the listed barn can be removed without harming its fabric or significance.”*

9.29 However, the four detached new dwellings have an overly suburban and domestic quality in terms of their layout, scale (footprint) and design, and thus fail to preserve the setting of Tuffs Farmhouse / the listed barn thereby harming the significance of these designated heritage assets. The character and appearance of the Chipperfield Conservation Area would also be adversely impacted, harming its significance.

9.30 To conclude the scheme by nature of its scale, footprint and design will result in ‘less than substantial’ harm to the significance of these designated heritage assets and NPPF (2024) Para 215 should be engaged within the decision-making process. The harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

9.31 The small public benefit from the demolition of the existing modern farm buildings would not outweigh the harm to the designated heritage assets resulting from the construction of 4 new market dwellings as proposed.

9.32 The proposed development would therefore be contrary to Policy CS27 of the Dacorum Core Strategy (2013), saved policy 120 of the Dacorum Borough Local Plan (2004) and the NPPF (2024).

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

9.33 Chapter 12 of the Framework emphasises the importance of good design in context and, in particular, paragraph 139 states that development which is not well designed should be refused, especially where it fails to reflect local design policies and government

guidance on design taking into account any local design guidance and supplementary planning documents.

9.34 Dacorum's Core Strategy Policies CS11 (Quality of Neighbourhood Design) and CS12 (Quality of Site Design) state that development within settlements and neighbourhoods should preserve attractive streetscapes; integrate with the streetscape character and respect adjoining properties in terms of scale, height, bulk and materials.

9.35 The NPPF (2024) para. 135 states that planning policies and decisions should ensure that new development should be sympathetic to local character and history, including the surrounding built environment and landscape setting. Furthermore, Policies CS11 and CS12 of the Dacorum Borough Core Strategy (2013) seek to ensure that new development respects adjoining properties in terms of layout, scale, height, bulk and materials.

9.36 The Chipperfield Village Design Statement design guidelines states that with regard to scale and bulk:

*"The scale and form of new development will affect the way it fits into the village and its relationship to adjacent buildings. Buildings with a deep floor plan often appear bulky and large spans result in expansive shallow pitch roofs. Buildings should be designed in such a way as to reduce the appearance of bulk and to fit into their site and surroundings. In the case of larger properties the adoption of L or T shaped buildings can break up frontages and make the overall design more compatible with the scale of older village houses."*

#### Materials and Styles

*A number of different building styles may be found within the village, offering some flexibility in the design of new buildings, but care should be taken not to mix styles or individual elements from different styles in the same development. Similarly, the approach adopted by some builders of constructing properties to the same plan but using different materials and external embellishment creates a hybrid appearance and is rarely successful.*

9.37 The proposed built forms of plots 2 and 3, in particular, have deep flank elevations due to the gabled projections to both front and rear - this gives the new dwellings a greater perception of bulk and one that does not reflect the linear character of traditional farm buildings. The proposal also includes some contemporary design features, ie vertical timber cladding and asymmetric windows but these features do not sit entirely comfortably on the new dwellings due to the mix of styles and materials employed.

9.38 The footprints of plots 2 and 3 in particular, have uncharacteristically deep flank elevations, which give these plots a greater bulk and massing (and domestic floor plan) - at odds with the linear form commonly associated with traditional farm buildings.

9.39 The use of traditional materials (brick / weatherboard and clay tile) is acceptable but the contemporary touches such as corner and asymmetric windows look awkward. The design approach does not seem very settled.

9.40 In addition, the 4 new dwellings will be visible from Tower Hill and Stoney Lane to the north west. Views over the hedgerow and fields look directly into the side and rear of the site.

9.41 By nature of their scale, bulk, design and materials the proposed scheme is contrary to CS12 and the Chipperfield Design Statement.

#### Loss of agricultural land and buildings

9.42 Paragraph 187 b) of the NPPF (2024) seeks to ensure that planning policies and decisions contribute to and enhance the natural and local environment by, inter alia, recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.

9.43 The best and most versatile agricultural land is in grades 1, 2 and 3a of the Agricultural Land Classification.

9.44 Saved Policy 108 of the Dacorum Borough Local Plan (2004) seeks to protect the 'best and most versatile' (BMV) agricultural land<sup>1</sup>. Development which would result in the permanent loss of the best and most versatile agricultural land will be refused, unless it can be demonstrated that there is an overriding need for the development and there is no alternative land of a lower quality which could reasonable be used. In addition the effect of high quality agricultural land loss on farm economics and management will be considered. Planning permission will not be granted for development which would fragment farm holdings unless mitigation is possible.

9.45 The Agricultural Land Classification (East Region) map illustrates that the site and land outlined in blude appears to fall within Grade 2 (Very Good) and Grade 3 (good to moderate) which is defined in Government Guidance as:

#### Grade 2

*“Land with minor limitations that affect crop yield, cultivations or harvesting. A wide range of agricultural and horticultural crops can usually be grown. On some land in the grade there may be reduced flexibility due to difficulties with the production of the more demanding crops, such as winter harvested vegetables and arable root crops. The level of yield is generally high but may be lower or more variable than grade 1.”*

#### Grade 3

*“Land with moderate limitations that affect the choice of crops, timing and type of cultivation, harvesting or the level of yield. Where more demanding crops are grown yields are generally lower or more variable than on land in grades 1 and 2.”*

---

<sup>1</sup> Best and most versatile agricultural land is defined by the NPPF Glossary as 'Land in grades 1, 2 and 3a of the Agricultural Land Classification.'

9.46 The majority of the land within the red and blue line boundaries has an agricultural use. The loss of the agricultural buildings would make working the remaining land extremely difficult ie. it would fragment the site. It would also create a demand for more farm buildings and possible greater impact on the openness of the Green Belt or damage to nature conservation interests.

9.47 The Pre-Application response raised concerns regarding the loss of agricultural buildings serving agricultural land and requested clear justification as to how the loss of these barns would not prejudice a viable use of the farm and agricultural land. This was not submitted with the application.

9.48 On 11<sup>th</sup> December 2024 the applicant submitted information stating that the agricultural use would not continue and provided some information on why. The information provided appears to be largely anecdotal.

9.49 It must be noted that once the development has taken place ie. the construction of the dwellings it will not be possible to reinstate the land to agricultural so it will result in the permanent loss of agricultural land.

9.50 CS5 states that within the Green Belt small scale development will be permitted provided that:

- 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.

9.51 The loss of Very Good and Good to moderate agricultural land would not support the rural economy and would therefore be contrary to CS5.

9.52 Natural England were consulted on this application but focused on the HRA requirements. A follow up email has been sent to them asking for their advice on the loss of this agricultural land. Their response will be placed in the addendum or reported to the meeting.

9.53 It is considered that the applicant has not fully demonstrated why the loss of Grade 2 and 3 agricultural land is acceptable in this case and therefore based on the above points it is concluded that the loss of the agricultural buildings and associated land is contrary to Paragraph 187 b) of the NPPF (2024), CS 5 and Saved Policy 108 of the Dacorum Borough Local Plan (2004).

#### Impact on Residential Amenity of existing and future occupiers

9.54 The NPPF (2024) outlines the importance of planning in securing good standards of amenity for existing and future occupiers of land and buildings.

9.55 Policy CS12 of the Dacorum Core Strategy seeks to ensure that, amongst other things, development should avoid visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to surrounding properties.

9.55 The nearest residential dwellings to the proposed scheme are the two existing cottages within the site, Highclere to the south and Nos. 1&3 Tower Hill opposite to the east. The

proposed dwellings are located a sufficient distance away and would not have any windows that would cause any direct overlooking onto these residential properties. There would be no significant loss of sunlight and daylight or visual intrusion for the immediate neighbours as a result of the scheme.

9.56 The proposal complies with CS12 in terms of neighbour amenity.

#### *Amenity space*

9.57 Saved Appendix 3 of the Dacorum Local Plan states *“that all residential development is required to provide private open space for use by residents whether the development be houses or flats. Private gardens should normally be positioned to the rear of the dwelling and have an average minimum depth of 11.5 m. Ideally a range of garden sizes should be provided to cater for different family compositions, ages and interests. A reduced rear garden depth may be acceptable for small starter homes, homes for the elderly and development backing onto or in close proximity, to open land, public open space or other amenity land. Larger family or executive style homes will be expected to provide a garden of greater depth. Generally, all gardens should be of a width, shape and size to ensure the space is functional and compatible with the surrounding area.”*

9.58 In terms of the living conditions of future occupants, the proposal would result in the creation of 4 detached dwellings each with separate rear and side garden areas. The proposed site plan shows the garden space for plots 2 and 3 are an unusual semi-circle in shape. Plots 2 and 3 are potentially 5 bedroom dwellings. The maximum depth for plot 3 is approx. 11 metres and the minimum depth is 8 metres. For plot 2 the maximum depth is approx. 10.5 metres and the minimum depth is 8.5 metres.

9.59 Plot 1 – potentially a 4 bed dwelling has a rear garden with a minimum depth of approx. 3 metres with a larger square area behind the disabled parking space which has a depth of approx. 10 metres.

9.60 Plot 4 – potentially a 4 bed dwelling has a rear garden with a minimum depth of approx. 6 metres.

9.61 The garden sizes and shapes are out of character with the traditional layout of dwellings found in Chipperfield Parish and although plot 3 at one point does almost meet the minimum required depth of 11.5 metres the overall size of the garden is not considered to comply with the above policy where larger family homes will be required to provide a garden of greater depth.

9.62 By nature of the size and shape of the amenity space proposed for each dwelling it is considered that the proposal will be contrary to Saved Appendix 3 of the Dacorum Local Plan 1999-2011 and Core Strategy 12.

#### Impact on Landscape Character

9.63 Policy CS25 states that all development will help conserve and enhance Dacorum's natural and historic landscape and should take full account of the Dacorum Landscape Character Assessment.

9.64 The site lies within the Landscape Character area of Bovingdon and Chipperfield Plateau (Area 107) which is described as an expansive, gently undulating plateau characterised by mixed arable and pasture farmland and isolated and fragmented woodland cover. Much of the landscape around the more settled areas is grassland providing pasture and paddocks. Bovingdon, Chipperfield and Flaunden have conservation areas. These include some good half-timbered houses on the approach to Bovingdon and some large early Georgian villas such as Braziers on the approach to Chipperfield.

9.65 The applicant has submitted a landscape and visual impact assessment which concluded that the impacts are considered to be acceptable within the landscape context and would not result in any overall landscape and visual harm.

9.66 Based on the topography of the site and surrounding views there is no evidence to disagree with the conclusion of this report.

### Impact on Highway Safety and Parking

#### *Highway Safety*

9.67 Policy 51 of the Dacorum Local Plan states that the acceptability of all development proposals will be assessed specifically in highway and traffic terms and should have no significant impact upon, inter alia:

- the nature, capacity and use of the highway network and its ability to accommodate the traffic generated by the development; and
- the environmental and safety implications of the traffic generated by the development.

9.68 Policy CS12 of the Dacorum Core Strategy states that on each site development should provide a safe and satisfactory means of access for all users.

9.69 HCC Highways were consulted and raised no objections to the proposal subject to conditions relating to the creation of the new access and closure of the existing access and several informatives. It is considered that the application would not have an unreasonable impact on the safety and operation of the adjoining highway.

#### *Emergency Vehicle Access*

9.70 HCC Highways stated that “in accordance with Manual for Streets Paragraph 6.7, the entirety of a dwelling must be within 45m from the edge of the highway so an emergency vehicle can gain access. The TS provides a swept path drawing, number 24023-TK03 Rev A, which indicates that an emergency vehicle can enter the site to reach within 45m of the proposed dwellings and turn around to egress onto the highway in forward gear.

#### *Sustainability*

9.71 HCC Highways stated in terms of sustainability that:

*“The site is located to the northwest of Chipperfield. The site is fronted by a footway which*

*continues into Chipperfield. The nearest bus stop is situated to the front of the site and offers services to Hemel Hempstead and Watford. Kings Langley is the nearest train station at 5.6km away, however, the bus route available from the site connects to train stations in Watford and Hemel Hempstead. A football pitch and pub are located opposite the site, with a garden centre being located within 500m. This suggests the site offers other methods of transport aside from private motor vehicle and HCC as the Highway Authority are satisfied the site is in a suitably sustainable location, in line with the principles set out in HCC's Local Transport Plan 4 (LTP4)."*

### *Parking*

9.72 Policy CS8 of the Dacorum Core Strategy states that new development should provide sufficient, safe and convenient parking based on car parking standards, while Policy CS12 of the Dacorum Core Strategy states that development should provide sufficient parking and sufficient space for servicing.

9.73 The Parking Standards Supplementary Planning Document was formally adopted on 18<sup>th</sup> November 2020 and advocates the use of a 'parking standard' (rather than a maximum or minimum standard), with different levels of standard in appropriate locations and conditions to sustain lower car ownership.

9.74 The application site is located within Accessibility Zone 3.

9.75 The proposed scheme includes:

House 1 – 2 bedrooms and a snug large enough to be a single bedroom – 3 beds  
House 2 – 3 bedrooms and a snug large enough to be a double bedroom – 4 beds  
House 3 – 3 bedrooms and a snug large enough to be a double bedroom – 4 beds  
House 4 - 2 bedrooms and a snug large enough to be a double bedroom – 3 beds

9.76 By nature of the height and size of the roofs of the proposed buildings and the proposed roof lights it would be possible to create another bedroom especially with the roof lights proposed. Thus, making them a mixture of 4 and 5 bedroom dwellings ie. 2 x 4 bedrooms and 2 x 5 bedrooms.

9.77 According to the Parking SPD four bedroom houses in Zone 3 require 3 parking spaces and more than 4 bedrooms need to be assessed on an individual basis.

9.78 An acceptable provision in this case would be 6 parking spaces for the 2 x 4 bed dwellings and at least 6 spaces for the 2 x 5 bedroom dwellings thus a total of 12 parking spaces.

9.79 The proposed site plan shows 14 spaces in total including 4 spaces for disabled access, so only 10 for the proposed new dwellings. 12 parking spaces are required outside of the provision of disabled parking.

9.80 The Parking and Ancillary Storage Plan shows 14 spaces for the proposed development and what appears to be 4 spaces for the existing listed cottages ie. 4 blue rectangles near the front access and next to the listed barn. There is some confusion between the parking areas shown on the plan and the blue rectangles indicated on the plan.



9.81 Due to insufficient detail being provided (such as which spaces will be obstructed) the LPA is unable to assess each space in terms of the size requirements set under the HCC Place and Movement Design Guidance (2024) as set out in the following table:

11.9 The minimum bay size for cars should be as follows:

Perpendicular: e.g. on driveways and parking courts	Length (m)	Width (m)
Space for people with mobility difficulties	5.5	2.9 +1.0
Standard space (unobstructed)	5	2.5
Standard space (obstructed on one side)	5	2.7
Standard space (obstructed on both sides, includes car ports and undercrofts))	5	2.9
Inside garage	6	3

9.82 Based on the overall hard stand area proposed for the 4 dwellings it would be anticipated that the applicant could provide adequate parking to the standard size requirements. This would of course increase the impact on the openness of the green belt to be greater than already proposed.

9.83 So based on the above it is considered that the proposal complies with CS 8 and 12 of the Core Strategy (2013), Saved Policy 51 of the DBLP, the HCC Place and Movement Planning and Design Guidance and the NPPF (2024) with regard to parking and highway safety.

#### *Waste Management*

9.84 Saved Policy 129 of the Dacorum Borough Local Plan seeks to ensure that developments have adequate storage for refuse and recycling.

9.85 HCC Highways stated that Manual for Streets Paragraph 6.8.9 states that waste collection vehicles must be able to get within 25m of the bin storage location and residents should not carry waste for further than 30m. The TS provides a swept path drawing, number 24023-TK03 Rev A, which indicates that a refuse vehicle can enter the site and turn around to egress onto the highway in forward gear.

#### Ecology and Biodiversity Net Gain

9.86 Policy CS26 of the Core Strategy (2013) states that development and management action will contribute towards the conservation and restoration of habitats and species; the strengthening of biodiversity corridors; the creation of better public access and links through green space; and a greater range of uses in urban green spaces. Policy CS29 seeks to ensure that development minimises impacts on biodiversity and incorporates positive measures to support wildlife.

9.87 Paragraph 193 (a) of the NPPF (2024) advocates a hierarchical approach to biodiversity mitigation – the principle that on-site biodiversity loss should be avoided, mitigated and, as a last resort, compensated.

9.88 The Environment Act (2021) has made it mandatory requirement for all major and minor development to achieve at least 10% biodiversity net-gain. Baseline information will need to be provided to the local planning authority as part of the formal submission in-line with the requirements of BNG.

9.89 Article 7 of the Development Management Procedure Order has now been amended by The Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 to reflect the new BNG validation requirements. If all the information outlined in Article 7 (1a) is not provided, then the application will not be valid.

9.90 The applicant has included at least 10% biodiversity net gain within the proposal.

9.91 Hertfordshire Ecology were consulted on this application and stated that the application can be determined with conditions and informatives.

9.92 Summary of Advice:

- There is sufficient information on European Protected Species (bats) to allow determination. A licence will be required.
- Non licensable mitigation for bats (lighting and soft felling of tree) should be secured by Condition.
- Precautionary measures listed in the ecological report should inform a CEMP.
- Method statement for Schedule 9 Species: required by Condition.
- The development will deliver a biodiversity net gain.
- Net gain is likely sufficient to discharge general biodiversity condition.
- Onsite enhancements are Significant and should be legally secured.
- A Habitat Management & Monitoring Plan should be secured by Condition.
- Species Enhancement Plan should be secured by Condition.
- A Habitats Regulations Assessment (HRA) required.

### Other Material Planning Considerations

#### *Sustainability Design and Construction*

9.93 The applicant has submitted a Sustainable Development Checklist. A condition would need to be set on any approval given that the development shall be carried out in accordance with the submitted and approved Sustainable Development Checklist.

#### *Contaminated Land*

9.94 The Contaminated Land Officer raised no objection to the proposal but stated that it will be necessary for the developer to demonstrate that the potential for land contamination to affect the proposed development has been considered and where it is present will be remediated.

9.95 This is considered necessary as the site is brownfield with a proposed change of use from agricultural/commercial to residential with private gardens.

9.96 It is therefore recommended that full contamination conditions are placed on any approval and the relevant informatives.

#### *Environmental Health*

9.97 The Environmental Health Officer was consulted and raised no objections or concerns regarding noise, odour or air quality subject to a number of informatives for waste management, construction working hours with Best Practical Means for dust, Air Quality and Invasive and Injurious Weeds.

#### *Impact on trees*

9.98 The Council's Trees and Woodlands Officer has been consulted and has no concerns or objections to the proposed development, stating that:

*"The agent has advised 1 x tree (T5) is proposed for removal owing to its condition. All other trees will be retained and protected throughout the phases of the development. It appears the measures implemented to protect trees are in accordance with current best practice and therefore I have no objections to the application, if minded to approve."*

#### *Affinity Water*

9.99 Affinity Water were consulted and had no comments to make.

#### *Thames Water*

9.100 Thames Water were consulted and subject to a number of informatives being set on any approval raised no objections.

#### Response to Neighbour Comments

9.101 There were no neighbour comments.

#### Parish Council Comments

9.102 The Chipperfield Parish Council provided a detailed letter showing their support for the application.

9.103 The material planning reasons listed included:

- The Parish Council undertook a housing needs survey funded and supported jointly by Dacorum Borough Council and Hastoe (housing association). The survey identified a strong need for smaller dwellings such as 2/3 bedroom 'affordable'.
- The Parish Council suggestions have been adopted in respect of parking provision and other details;
- It is considered less dense than the existing development;
- The proposal enhances and improves the openness of the Green Belt;
- The proposal significantly improves the street scene views and the views from across the open nearby countryside;

- The removal of existing modern agricultural buildings will open up the site;
- Will create a small development with thoughtful landscaping and reduced built form;
- The design is sensitive to the locality.

9.104 Each of the above comments are addressed within the body of the report.

### Community Infrastructure Levy (CIL)

9.105 Policy CS35 of the Core Strategy requires all developments to make appropriate contributions towards infrastructure required to support the development. These contributions will normally extend only to the payment of CIL where applicable. The Council's Community Infrastructure Levy was adopted in February 2015 and came into force on 1 July 2015. CIL relief is available for affordable housing, charities and Self Builders and may be claimed using the appropriate forms.

### Chiltern Beechwoods Special Area of Conservation

9.106 The Chilterns Beechwoods Special Area of Conservation (SAC) includes a number of separate sites in the Chiltern Hills and spans three counties. A SAC is an internationally recognised designation with habitats and species of significant ecological importance. The relevant sites to Dacorum are the Ashridge Commons and Woods Sites of Special Scientific Interest (SSSI) and the Tring Woodlands SSSI.

9.107 As part of Dacorum's emerging Local Plan, evidence was found that additional residential development in the Borough would lead to more visitors to, and increased recreational pressure on, these protected sites and an associated increase in adverse activities - e.g. trampling, dog fouling etc. To limit this impact, a habitat regulations assessment (HRA) is required for any development that results in an additional residential unit within the 'zone of influence'.

### *General duty*

9.108 Regulation 9(3) of the Conservation of Habitats and Species Regulations 2017 imposes a duty on Dacorum to have regard to the requirements of the Habitats Directive so far as those requirements may be affected by the exercise of its functions. This general duty requires Dacorum to have regard to: -

- the need to establish necessary conservation measures (involving, if need be, appropriate management plans specifically designed for the sites or integrated into other development plans) and appropriate statutory, administrative or contractual measures for the purpose of maintaining or restoring the qualifying habitats and species present at the SAC (Article 6 (1)); and
- the need to take appropriate steps to avoid the deterioration of those habitats and species (Article 6 (2)).

9.109 These duties impose a positive obligation on Dacorum to have regard to the need to conserve the features of the SAC, and to prevent the deterioration of the SAC. These general duties are reflected in paragraphs 192 - 195 of the NPPF (2024).

### *Appropriate assessment*

9.110 An appropriate assessment is required under the terms of the Conservation of Habitats and Species Regulations 2017 (as amended) (the Regulations). Regulation 63(1) of the Conservation of Habitats and Species Regulations 2017) provides that all plans and projects which: -

- a) are likely to have a significant effect on the SAC (either alone or in combination with other plans or projects); and
- b) are not directly connected with or necessary to the management of the SAC;

must be subject to an “appropriate assessment” of their effects on the integrity of the SAC before the Council can grant consent - i.e. planning permission.

9.111 For the purposes of carrying out that assessment, the Council must consult Natural England and have regard to any representations which Natural England makes (per Regulation 63(3)). Dacorum should also consult the general public (if it considers it appropriate) (per Regulation 63(4)).

9.112 As the proposals involve new residential units, it is likely adverse impacts would arise from the development alone or in combination with other projects from additional recreation pressure harmful to the characteristics of the SAC. Therefore, suitable mitigation is required in-line with the Council’s Mitigation Strategy. The Strategy provides that each new residential unit shall provide a financial contribution to Strategic Access Management and Maintenance (SAMM) (currently measures at the Ashridge Estate and direct provision of Suitable Alternative Natural Green Space (SANG) via a legal agreement.

9.113 The Council may only grant consent for a plan or project if it is satisfied that the plan or project will not adversely affect the integrity of the SAC - i.e. that it will not undermine the achievement of the SAC’s conservation objectives in the long-term (per Regulation 63(5)). This is commonly referred to as the “integrity test”. If the integrity test is not satisfied, permission must be refused.

9.114 It is important to bear in mind that the integrity test does not offer any scope for normal “planning balance” exercises or similar judgements.

### *Mitigation*

9.115 Regulation 63(6) requires Dacorum to have regard to the manner in which the plan or project will be carried out, and to any conditions or restrictions which might be applied to consent for the purpose of avoiding adverse effects. In effect, this allows the council to take into account mitigation measures as part of the appropriate assessment.

9.116 Case law has established that mitigation measures must:

- have a high degree of certainty that they will be effective;
- be secured and certain in their effect; and

- be delivered before an adverse effect on integrity is expected to occur.

9.117 Accordingly, this requires that mitigation is both secured (practically going to happen) and certain (in respect of its ecological effects) at the point at which the appropriate assessment is carried out and consent is granted.

9.118 In other words, unless mitigation has been both practically secured and the Council is certain as to its effects, it cannot be taken into account in the appropriate assessment and cannot form the basis for granting consent.

9.119 Prior to any planning permission being given for this proposal a Unilateral Undertaking would be required to secure SANG and SAMM. No such unilateral undertaking has been provided at the date of preparing this report.

9.120 The application does not provide sufficient information to satisfy the Council, as the competent authority, that the proposed development will not adversely affect the integrity of the Chilterns Beechwoods Special Area of Conservation. There are no alternative solutions/mitigation or credible imperative reasons of overriding public interest why the proposed development should be permitted. In the absence of such information, and in the absence of an appropriate legal agreement to mitigate such adverse impact, the proposed development is contrary to Policy CS26 of the Dacorum Borough Core Strategy (2013), Paragraph 195 of the National Planning Policy Framework (2024) and the requirements of the Habitats Regulations (2017 and 2019).

## **Planning Balance**

9.121 There is agreement that the Council cannot demonstrate a 5-year supply of deliverable housing sites. As a result, paragraph 11 d) of the Framework is engaged. However, in this proposal the application of policies in the Framework that protect areas of particular importance (Conservation Areas and Listed Buildings – Designated Heritage Assets) provide clear reasons for refusing the development. Accordingly, by virtue of Framework paragraph 11 d) i), and even if the scale of housing supply shortfall is acute, the presumption in favour of sustainable development does not apply in this case.

9.122 Consequently, the significant adverse impacts of the proposed development would outweigh the limited benefits.

## **10. CONCLUSION**

10.1 The proposed development is inappropriate development and the VSC submitted although having some weight do not outweigh the harm to the green belt and the designated heritage assets within the site.

## **11. RECOMMENDATION**

That planning permission is REFUSED for the following reasons.

1. Development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will

not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

The proposed development is inappropriate development in the Green Belt and the very special circumstances put forward although carrying some weight do not outweigh the harm to the Green Belt and other harms.

The proposed development is therefore contrary to NPPF (2024) paras. 11 d) and 153,154 and 155 and Policy 5 of the Core Strategy (2013).

2. The proposed scheme by nature of its scale, bulk, footprint, design and materials will result in 'less than substantial' harm to the significance of the designated heritage assets and NPPF (2024) Para 215 should be engaged within the decision-making process. The harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The small public benefit from the demolition of the existing modern farm buildings would not outweigh the harm to the designated heritage assets resulting from the construction of 4 new market dwellings as proposed.

The proposed development would therefore be contrary to Policy CS27 of the Dacorum Core Strategy (2013), saved policy 120 of the Dacorum Borough Local Plan (2004) and Paras. 135, 212 and 215 of the NPPF (2024).

3. The application does not provide sufficient information to satisfy the Council, as the competent authority, that the proposed development will not adversely affect the integrity of the Chilterns Beechwoods Special Area of Conservation. There are no alternative solutions/mitigation or credible imperative reasons of overriding public interest why the proposed development should be permitted. In the absence of such information, and in the absence of an appropriate legal agreement to mitigate such adverse impact, the proposed development is contrary to Policy CS26 of the Dacorum Borough Core Strategy (2013), Paragraph 195 of the National Planning Policy Framework (2024) and the requirements of the Habitats Regulations (2017 and 2019).
4. Insufficient information has been submitted to demonstrate why the loss of Grade 2 and 3 agricultural land and associated buildings is acceptable in this case and therefore it is concluded that the loss of the agricultural buildings and associated land is contrary to Paragraph 187 b) of the NPPF (2024), Policy CS 5 of the Dacorum Core Strategy (2013) and Saved Policy 108 of the Dacorum Borough Local Plan (2004).
5. By nature of the size and shape of the amenity space proposed for each dwelling and the amount of amenity space provided in the more traditional dwellings nearby it is considered that the proposal will be contrary to Saved Appendix 3 of the Dacorum Local Plan 1999-2011 and Policy CS 12 of the Dacorum Core Strategy (2013).
6. By nature of their scale, bulk, design and materials the proposed scheme is contrary to CS12 of the Dacorum Core Strategy (2013), the Chipperfield Design Statement (2001) and the NPPF (2024) para. 187 b).

**Informatives:**

1. Planning permission has been refused for this proposal for the clear reasons set out in this decision notice. The Council acted pro-actively through early engagement with the applicant at the pre-application stage. This positive advice has however been ignored and therefore the Council remains of the view that the proposal is unacceptable. Since the Council attempted to find solutions, the requirements of the Framework (paragraph 38) have been met and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

## APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Hertfordshire Ecology	<p>Demolition of existing agricultural buildings, construction of 4 new dwellings, associated parking and landscaping. 24/01915/FUL Tuffs Farm Tower Hill Chipperfield Kings Langley Hertfordshire WD4 9LW</p> <p>Overall Recommendation:</p> <p>Application can be determined with Conditions and Informatives listed</p> <p>Summary of Advice:</p> <ul style="list-style-type: none"> <li>• There is sufficient information on European Protected Species (bats) to allow determination. A licence will be required.</li> <li>• Non licensable mitigation for bats (lighting and soft felling of tree) should be secured by Condition.</li> <li>• Precautionary measures listed in the ecological report should inform a CEMP.</li> <li>• Method statement for Schedule 9 Species: required by Condition.</li> <li>• The development will deliver a biodiversity net gain</li> <li>• Net gain is likely sufficient to discharge general biodiversity condition</li> <li>• Onsite enhancements are Significant and should be legally secured</li> <li>• A HMMP should be secured by Condition.</li> <li>• Species Enhancement Plan should be secured by Condition</li> <li>• A Habitats Regulations Assessment (HRA) required.</li> </ul> <p>Supporting documents:</p> <p>I have made use of the following documents in providing this advice:</p> <ul style="list-style-type: none"> <li>• Ecological assessment by Luscinia Ecology, 21/08/2024.</li> <li>• Biodiversity Statement and Biodiversity Gain Plan by Luscinia Ecology, 21/08/2024.</li> </ul>



- Landscape Plan drawing LP/TFTHCH/ 020 A
- ### ECOLOGICAL IMPLICATIONS

Thank you for consulting this office on the above application.

Bats: Preliminary Roost Assessment, Ground Level Tree Assessment Brown surveys were completed on 06/06/2024. Evidence in the form of bat droppings and potential presence of bats was found within buildings B1, B2, and B3 . Two bat emergence surveys carried out on the 06/06/24 and 01/07/24: Confirmed roost within B1, B2, and B3, B3 . Although B1 will be unaffected by the proposals and B2 will undergo repair works and B3 which is connected to B2 will be demolition. An endoscope examination of Tree T2, which had potential roosting features and will be removed, found no bats. Since the proposed demolition and works to the building will result in the loss of bat roosts. however, Sufficient mitigation and compensation measures have been provided to ensure the favourable conservation status of bats is maintained. It is acknowledged that the measures proposed will be carried out under the conditions of a bat mitigation licence issued by Natural England. In addition as a precaution tree T2 should be soft felled. With this information in place, I consider the LPA has sufficient information to fully consider bats and apply and satisfy the Conservation of Habitats and Species Regulations 2017 (as amended) prior to determination.

I advise an informative should be attached to any permission to the effect that:

A bat licence from Natural England is required to deliver this development. It will be a criminal offence if works proceed without a bat licence. It will also be a criminal offence if the terms of conditions of the bat licence, including in particular the mitigation and compensation requirements under the licence (which may require certain measures to be delivered before the development works start), are not adhered to.

Non licenced mitigation measures such as the production of a sensitive lighting plan and the soft felling of tree T2 should be secured by Condition. suggested wording below.

Prior to commencement a lighting design strategy for bats shall be submitted to and approved in writing by the LPA. This should accurately identify the features/areas of interest and the maximal illumination of these areas that will not compromise their existing use by bats. This should be shown in suitable contour plans and charts. The strategy should be informed by the Ecological assessment by Luscinia Ecology, 21/08/2024, section 5.18. and accord with best practice (Guidance Note 08/10: Bats and artificial lighting in the UK, (BCT & ILP, 2018.)). No external lighting should be allowed to exceed these limits, unless

agreed with by the LPA, either during (if important for long-term construction projects) or post-development."

"The Recommendations in section 5.11 of the Ecological assessment by Luscinia Ecology, 21/08/2024, section 5.31. relating to the removal of tree T2 represent precautionary measures and best practice which should be followed to avoid the risk of harm to extant protected species."

Other Protested Species: I advise method statements based on the mitigation within the Ecological assessment by Luscinia Ecology, 21/08/2024, for but not limited to amphibians and reptiles section 5.38-41, hedgehogs section 5.49-5.53, badgers section 5.19 and nesting birds 5.42-45 should be submitted for approval to the LPA. These are best demonstrated within an ecological section of a Construction Environmental Management Plan and secured by Condition such as below or similar.

"No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) including a section for ecology has been submitted to and approved in writing by the local planning authority. The CEMP shall include the following.

1. A review of any ecological impacts and should be informed by the submitted ecological report (Ecological assessment by Luscinia Ecology, 21/08/2024).
2. Risk assessment of potentially damaging construction activities.
3. Identification of 'biodiversity protection zones'
4. A set of method statements outlining practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction.
5. The location and timings of sensitive works to avoid harm to biodiversity features.
6. The times during construction when specialist ecologists need to be present on site to oversee works.
7. Responsible persons and lines of communication.
8. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.

Development shall proceed in accordance with the approved CEMP, unless otherwise agreed in writing by the Local Planning Authority."

Reason

To ensure sensible working practices which protect ecology on and adjacent to this site.

Control of Schedule 9 Species: Cotoneaster, species of which are listed of schedule 9. Measures to prevent an offence should be secured by Condition such as the below:

"Prior to any works, a Method Statement outlining measures to prevent and control the spread of Cotoneaster during any operations should be submitted to the Local Planning Authority for written approval. This statement should be informed by Ecological assessment by Luscinia Ecology, 21/08/2024 section 5.54- 56 and adhere to the 'Environmental Management Guidance; Harmful Weeds and Invasive, Non-native Plants: Prevent them Spreading (NE & EA, 2015)'. Development shall proceed in accordance with the approved details."

Biodiversity net gain: A statutory biodiversity metric has been submitted showing an onsite net gain of 0.48 habitat units (an 37.49 % increase) and 0.09 hedgerow units (a 106.71 % increase). The metric calculations meet the trading rules.

This biodiversity net gain is achieved by the creation and enhancing of various habitats such as mixed scrub, and rural trees, The proposed post development habitat map broadly aligns with the illustrative landscaping plan.

Significant Onsite Enhancement: The proposed BNG includes areas of medium distinctiveness habitats and significant areas of low distinctiveness habitat As a result, I advise that the On-Site enhancements should be considered Significant and should be secured by either a condition subject to which the planning permission is granted, a planning obligation, for at least 30 years after the development is complete.

Whilst the biodiversity gain condition is a post determination matter, the present information and habitat opportunity within the outline landscaping plan allows the LPA reasonable confidence that the general Biodiversity Condition will be discharged. The Biodiversity Net Gain Plan should be prepared in accordance with the approved metric and I advise this element is secured by Condition.

Habitat Management and Maintenance Plan (HMMP): I advise the means by which the Proposed habitats will be created and enhanced (the capital works) and then managed for 30 years should be shown within a Habitat Management and Maintenance Plan (HMMP) and secured by condition. I would also advise that the condition includes the use of the HMMP Template published by Natural England.

Other ecological opportunities: A number of species enhancements are recommended in the ecological report and I advise these are secured by Condition.

"Prior to the commencement of development, a Species Enhancement Plan by an appropriately experienced ecologist shall be submitted to and approved in writing by the LPA showing the location and type of species enhancements. This should be informed by the recommendations of the Luscinia Ecology, 21/08/2024 sections 5.44 and 5.60. All approved features shall be installed prior to first occupation of the dwelling and be maintained and retained thereafter.

Following completion of the dwelling and prior to their first occupation, a report from an appropriately qualified ecologist confirming that all the proposed features have been installed as per previously agreed specifications and locations together with photographic evidence shall be submitted to and approved in writing by the LPA."

Chiltern Beechwoods Special Area of Conservation:

The proposed development comprises the demolition and conversion of the existing agricultural buildings dwelling and their replacement/conversion to new dwellings. This suggests a net increase in residential accommodation. Given that the proposed development lies within the Chilterns Beechwoods Special Area of Conservation (SAC) 'Zone of Influence', the Habitats Regulations 2017 (as amended) apply and we recommend that as the competent authority, the Council must undertake a Habitats Regulations Assessment (HRA).

This is because we consider there is a credible risk that harmful impacts from the increase in recreational pressure on the SAC (alone or in combination with other plans or projects) may arise and that likely significant effects cannot be ruled out.

If, following further 'appropriate assessment', the HRA is subsequently unable to rule out adverse effects on the integrity of the SAC, mitigation will be required.

Effective mitigation will be best delivered by adopting the measures set out in the Council's strategic mitigation plan and the payment of the appropriate tariff(s). The latter will contribute to the implementation of 'strategic access management and mitigation measures' (SAMMs) alongside the creation of suitable alternative natural green spaces' (SANGs).

As there is no indication in the application that the tariff(s) will be paid, it is our opinion that adverse effects cannot be ruled out and consent cannot be granted until adequate mitigation is provided.

I trust these comments are of assistance,

Environmental And  
Community Protection  
(DBC)

Having reviewed the planning application and considered the Environmental and Community Protection (ECP) Team records relevant to the site, I am able to confirm that there is no objection to the proposed development. However, it will be necessary for the developer to demonstrate that the potential for land contamination to affect the proposed development has been considered and where present that it will be remediated.

This reflects the proposal to introduce a residential end use, that would be vulnerable to the presence of contamination, on to a brownfield site that was historically under a commercial agricultural land use. Such a land use has the potential to have resulted in ground contamination.

As such the following conditions should be a requirement of any permission that might be granted.

Contaminated Land Conditions:

Condition 1:

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

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

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

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

(c) No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Strategy Report, which is to include all relevant remediation method statements; if required as a result of (b), above; has been submitted to and approved by the Local Planning Authority.

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

	<p>(i) All works which form part of the Remediation Strategy report pursuant to the discharge of condition (c) above have been fully completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.</p> <p>(ii) A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed to protect human health and the surrounding environment and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.</p> <p>Condition 2: Any contamination, other than that reported by virtue of Condition 1 encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically possible; a scheme to render this contamination harmless shall be submitted to and agreed by the Local Planning Authority and subsequently fully implemented prior to the occupation of this site. Works shall be temporarily suspended, unless otherwise agreed in writing during this process because the safe development and secure occupancy of the site lies with the developer.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed to protect human health and the surrounding environment and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.</p> <p>Informative: The above conditions are considered to be in line with paragraphs 180 (e) &amp; (f) and 189 and 190 of the NPPF 2023.</p> <p>Guidance on how to assess and manage the risks from land contamination can be found here:  <a href="https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm">https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm</a> and here:  <a href="https://www.dacorum.gov.uk/docs/default-source/environment-health/development-on-potentially-contaminated-land.pdf?sfvrsn=c00f109f_8">https://www.dacorum.gov.uk/docs/default-source/environment-health/development-on-potentially-contaminated-land.pdf?sfvrsn=c00f109f_8</a></p>
<p>Chipperfield Parish Council</p>	<p>CPC: Supports the application  Chipperfield Parish Council (CPC) has a long history in being pro-active on planning matters. In Year 2000 it undertook the creation of the Village Design Statement which was adopted in 2021 as supplementary</p>

planning guidance by DBC. In 2020 it undertook a Housing Need Survey funded/ supported jointly by DBC and Hastoe (housing association). This survey identified a strong need for smaller dwellings eg 2/3 bedroom 'affordable'.

In the last 10 years CPC has been involved in positive engagement with developers on major schemes in the village for additional homes. These include 3 schemes whereby land was moved from horticultural/ commercial uses to residential. The outcomes of these 3 schemes have been welcomed by the community. This success taught CPC the benefit of positive engagement with developers'/applicants/ their advisors ideally prior to formal application to DBC. CPC has learned that early engagement improves the outcome of the final result such that CPC actively encourages early engagement by all applicants.

The former owner of Tuffs Farm was well known to many villagers, not only as a farmer but also as an agricultural contractor used by not only residents but also for community works eg hedge cutting etc. His decision to retire and sell up was a matter of widespread concern/ worry by many residents because of the potential risk of inappropriate proposals being submitted for the site.

CPC was pleased to be invited to engage initially with the owner applicant and subsequently with the applicant's design/planning/heritage team. Most CPC councillors have had the opportunity of site tour and explanation of the 'vision' for the site by the owner/ applicant. The high level of attention to detail, the passion for restoring/repurposing heritage buildings by the applicant gave confidence to CPC's planning team that a positive outcome for the community was within reach. An additional factor strengthening the proposal was the detailed guidance and advice to the applicant by Anne Davis (DLA Heritage) who is highly respected in the local area because of her detailed knowledge on heritage/conservation issues.

In parallel with this engagement, a pre-app was submitted by the applicant to DBC. The recommendations within the pre-app response have been incorporated in full in the submitted scheme for 4 separate dwellings instead of 2 pairs of semi-detached dwellings in the pre-application scheme. In addition, CPC's suggestions have been adopted in respect of parking provision and other details.

CPC is aware of other consultees advocating fully timbered elevations however CPC supports the application's elevation treatment of brick elevations to match as close as possible to those of the existing 18th century farmhouse, albeit with some timber clad details where appropriate. It is unusual to have a scheme come forward that is less dense than the existing which CPC supports because it enhances the green belt location and significantly improves the street scene views and also the views from across the open nearby countryside. The removal of the existing modern agricultural buildings will open up the site enabling a small development with thoughtful landscaping to be a positive improvement to the landscape of the village with is reduced

	<p>built-form, sensitive design and improved openness of this area of the green belt.</p> <p>The foregoing gives the background to CPC's support of this application, by unanimous decision of its planning committee. CPC believes that this scheme once built will be welcomed by the community.</p> <p>One final point, CPC notes that a consultee has requested details of the intended restoration to the fabric of the listed barn. We recommend that the consultee be invited to inspect the restoration of the existing listed dwelling which is being executed to a high standard that may allay all concerns in this regard.</p>
<p>Hertfordshire Highways (HCC)</p>	<p>Recommendation</p> <p>Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:</p> <p>1) Prior to the first occupation of the development hereby permitted the vehicular access shall be completed and thereafter retained as shown on drawing number TF3/24/PL01A. Prior to use appropriate arrangements shall be made for surface water to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.</p> <p>Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).</p> <p>2) Existing Access - Closure Prior to the first occupation of the development hereby permitted the vehicular and pedestrian access to, and egress from, the adjoining public highway shall be limited to the access shown on drawing number TF3/24/PL01A only. Any other access or egress shall be permanently closed, and the footway / kerb / highway verge shall be reinstated in accordance with a detailed scheme to be approved in writing by the Local Planning Authority in consultation with the highway authority.</p> <p>Reason: To ensure construction of a satisfactory development and in the interests of highway safety and amenity in accordance with Policies 5 and 7 of Hertfordshire's Local Transport Plan (adopted 2018).</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>AN1) Works within the highway (section 278): The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with</p>



Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the County Council website at:

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

AN2) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.

Further information is available via the County Council website at:

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

AN3) Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the County Council website at:

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

or by telephoning 0300 1234047.

AN4) Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit

dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

#### Comments/Analysis

#### Description of Proposal

Demolition of existing barns, repair to the listed barn, construction of 4 new residential barns, associated parking and landscaping

#### Site and Surroundings

Tower Hill is a classified C local distributor route subject to a 30mph speed limit which is highway maintainable at public expense. As per Hertfordshire County Council's new design guide (Place and Movement Planning Design Guide (PMPDG)), Tower Hill is classified as a P1/M2 (e.g. Inter-urban Road). The site is located to the northwest of Chipperfield. The site is fronted by a footway which continues into Chipperfield. The nearest bus stop is situated to the front of the site and offers services to Hemel Hempstead and Watford. Kings Langley is the nearest train station at 5.6km away, however, the bus route available from the site connects to train stations in Watford and Hemel Hempstead. A football pitch and pub are located opposite the site, with a garden centre being located within 500m. This suggests the site offers other methods of transport aside from private motor vehicle and HCC as the Highway Authority are satisfied the site is in a suitably sustainable location, in line with the principles set out in HCC's Local Transport Plan 4 (LTP4).

#### Access and Parking

The site has an existing dropped kerb access into the site from Tower Hill; this access is to be moved 8m further into the site to improve the visibility from the access according to the Transport Statement. The proposed access is also formed by a dropped kerb; of a double size to permit two vehicles to pass each other and allow for the agricultural storage use to continue in the existing barn.

The existing access will therefore have to be closed up and the kerb reinstated, as per the above condition, to ensure that there is only the proposed access in use at the site. The suitable visibility splay size for the speed of Tower Hill of 2.4m x 43m, as per Manual for Streets, has been used on the visibility splay drawing 24023/001 Rev A within the TS. The TS also acknowledges that the vegetation and structures that lie within the splay should be maintained below 600mm in height to ensure the splays remain clear. There have not been any collisions fronting the location of the proposed, nor existing, access within the last 5 years; as pointed out within the TS there have been two collisions, one slight and one severe within 170m of the site; but nothing to suggest the location of the access is unsafe. The internal carriageway width is to be a minimum of 5.5m according to the TS, this is a suitable width to ensure that two vehicles can safely pass each other, and the agricultural vehicles which use the listed barn can enter the site. Regarding trips, a TRICS report has been conducted for the proposed four dwellings at the site. HCC is satisfied with the method

	<p>used and the conclusion that the development will not create a severe impact on the highway due to trips.</p> <p>Ultimately the LPA will have to be satisfied with the parking provision, but HCC would like to comment that fourteen parking spaces have been provided at the site, including disabled spaces and electric vehicle parking. The proposed parking spaces are of a suitable dimension according to the PMPDG. The swept path drawing, number 24023-TK01 Rev A, within the TS demonstrates that a vehicle can safely manoeuvre within the parking arrangement to egress onto the highway in forward gear. Covered and secure cycle parking is proposed within the curtilage of each dwelling.</p> <p><b>Refuse and Waste Collection</b></p> <p>Manual for Streets Paragraph 6.8.9 states that waste collection vehicles must be able to get within 25m of the bin storage location and residents should not carry waste for further than 30m. The TS provides a swept path drawing, number 24023-TK03 Rev A, which indicates that a refuse vehicle can enter the site and turn around to egress onto the highway in forward gear.</p> <p><b>Emergency Vehicle Access</b></p> <p>In accordance with Manual for Streets Paragraph 6.7, the entirety of a dwelling must be within 45m from the edge of the highway so an emergency vehicle can gain access. The TS provides a swept path drawing, number 24023-TK03 Rev A, which indicates that an emergency vehicle can enter the site to reach within 45m of the proposed dwellings, and turn around to egress onto the highway in forward gear.</p> <p><b>Conclusion</b></p> <p>HCC as Highway Authority has considered the application and are satisfied that the proposal would not have an unreasonable impact on the safety and operation of the adjoining highway and therefore, has no objections on highway grounds to this application.</p>
Trees & Woodlands	<p>The agent has advised 1 x tree (T5) is proposed for removal owing to its condition. All other trees will be retained and protected throughout the phases of the development. It appears the measures implemented to protect trees are in accordance with current best practice and therefore I have no objections to the application, if minded to approve.</p>
Affinity Water - Three Valleys Water PLC	<p>Affinity Water has no comments to make regarding planning application 24/01915/FUL at Tuffs Farm, Tower Hill, Chipperfield, Kings Langley, Hertfordshire, WD4 9LW</p>
Thames Water	<p><b>WASTE COMMENTS:</b></p> <p>Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection, however care needs to be taken when designing</p>

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

Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The developer should liaise with the LLFA to agree an appropriate sustainable surface water strategy following the sequential approach before considering connection to the public sewer network. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer network.

With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow guidance under sections 167, 168 & 169 in the National Planning Policy Framework. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://www.thameswater.co.uk/help/home-improvements/how-to-connect-to-a-sewer/sewer-connection-design>

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide [working near or diverting our pipes](https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes).

Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

**WATER COMMENTS:**

With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

<p>Natural England</p>	<p>Natural England has previously commented on this proposal and made comments to the authority in our response dated 04 September 2024, reference number 486658.</p> <p>The information we requested is still needed by Natural England to determine the significance of impacts on designated sites. Without this information Natural England may need to object to the proposal.</p> <p>Please note we are not seeking further information on other aspects of the natural environment, although we may make comments on other issues in our final response.</p> <p>Please re-consult Natural England once this information has been obtained. On receipt of the information requested, we will aim to provide a full response within 21 days of receipt.</p>
<p>Hertfordshire Ecology</p>	<p>Overall Recommendation:</p> <p>Application can be determined with Conditions and Informatives listed</p> <p>Summary of Advice:</p> <ul style="list-style-type: none"> <li>• There is sufficient information on European Protected Species (bats) to allow determination. A licence will be required.</li> <li>• Non licensable mitigation for bats (lighting and soft felling of tree) should be secured by Condition.</li> <li>• Precautionary measures listed in the ecological report should inform a CEMP.</li> <li>• Method statement for Schedule 9 Species: required by Condition.</li> <li>• The development will deliver a biodiversity net gain</li> <li>• Net gain is likely sufficient to discharge general biodiversity condition</li> <li>• Onsite enhancements are Significant and should be legally secured</li> <li>• A HMMP should be secured by Condition.</li> <li>• Species Enhancement Plan should be secured by Condition</li> <li>• A Habitats Regulations Assessment (HRA) required.</li> </ul> <p>Supporting documents:</p> <p>I have made use of the following documents in providing this advice:</p> <ul style="list-style-type: none"> <li>• Ecological assessment by Luscinia Ecology, 21/08/2024.</li> <li>• Biodiversity Statement and Biodiversity Gain Plan by Luscinia Ecology, 21/08/2024.</li> <li>• Landscape Plan drawing LP/TFTHCH/ 020 A</li> </ul> <p>ECOLOGICAL IMPLICATIONS</p>

Thank you for consulting this office on the above application.

Bats: Preliminary Roost Assessment, Ground Level Tree Assessment  
Brown surveys were completed on 06/06/2024. Evidence in the form of bat droppings and potential presence of bats was found within buildings B1, B2, and B3 . Two bat emergence surveys carried out on the 06/06/24 and 01/07/24: Confirmed roost within B1, B2, and B3, B3 . Although B1 will be unaffected by the proposals and B2 will undergo repair works and B3 which is connected to B2 will be demolition. An endoscope examination of Tree T2, which had potential roosting features and will be removed, found no bats. Since the proposed demolition and works to the building will result in the loss of bat roosts. however, Sufficient mitigation and compensation measures have been provided to ensure the favourable conservation status of bats is maintained. It is acknowledged that the measures proposed will be carried out under the conditions of a bat mitigation licence issued by Natural England. In addition as a precaution tree T2 should be soft felled. With this information in place, I consider the LPA has sufficient information to fully consider bats and apply and satisfy the Conservation of Habitats and Species Regulations 2017 (as amended) prior to determination.

I advise an informative should be attached to any permission to the effect that:

A bat licence from Natural England is required to deliver this development. It will be a criminal offence if works proceed without a bat licence. It will also be a criminal offence if the terms of conditions of the bat licence, including in particular the mitigation and compensation requirements under the licence (which may require certain measures to be delivered before the development works start), are not adhered to.

Non licenced mitigation measures such as the production of a sensitive lighting plan and the soft felling of tree T2 should be secured by Condition. suggested wording below.

"Prior to commencement a lighting design strategy for bats shall be submitted to and approved in writing by the LPA. This should accurately identify the features/areas of interest and the maximal illumination of these areas that will not compromise their existing use by bats. This should be shown in suitable contour plans and charts. The strategy should be informed by the Ecological assessment by Luscinia Ecology, 21/08/2024, section 5.18. and accord with best practice (Guidance Note 08/10: Bats and artificial lighting in the UK, (BCT & ILP, 2018.)). No external lighting should be allowed to exceed these limits, unless

agreed with by the LPA, either during (if important for long-term construction projects) or post-development."

"The Recommendations in section 5.11 of the Ecological assessment by Luscinia Ecology, 21/08/2024, section 5.31. relating to the removal of tree T2 represent precautionary measures and best practice which should be followed to avoid the risk of harm to extant protected species."

Other Protested Species: I advise method statements based on the mitigation within the Ecological assessment by Luscinia Ecology, 21/08/2024, for but not limited to amphibians and reptiles section 5.38-41, hedgehogs section 5.49-5.53, badgers section 5.19 and nesting birds 5.42-45 should be submitted for approval to the LPA. These are best demonstrated within an ecological section of a Construction Environmental Management Plan and secured by Condition such as below or similar.

"No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) including a section for ecology has been submitted to and approved in writing by the local planning authority. The CEMP shall include the following.

1. A review of any ecological impacts and should be informed by the submitted ecological report (Ecological assessment by Luscinia Ecology, 21/08/2024).
2. Risk assessment of potentially damaging construction activities.
3. Identification of 'biodiversity protection zones'
4. A set of method statements outlining practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction.
5. The location and timings of sensitive works to avoid harm to biodiversity features.
6. The times during construction when specialist ecologists need to be present on site to oversee works.
7. Responsible persons and lines of communication.
8. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.

Development shall proceed in accordance with the approved CEMP, unless otherwise agreed in writing by the Local Planning Authority."

**Reason**

To ensure sensible working practices which protect ecology on and adjacent to this site.

Control of Schedule 9 Species: Cotoneaster, species of which are listed of schedule 9. Measures to prevent an offence should be secured by Condition such as the below:

"Prior to any works, a Method Statement outlining measures to prevent and control the spread of Cotoneaster during any operations should be submitted to the Local Planning Authority for written approval. This statement should be informed by Ecological assessment by Luscinia Ecology, 21/08/2024 section 5.54- 56 and adhere to the 'Environmental Management Guidance; Harmful Weeds and Invasive, Non-native Plants: Prevent them Spreading (NE & EA, 2015)'. Development shall proceed in accordance with the approved details."

Biodiversity net gain: A statutory biodiversity metric has been submitted showing an onsite net gain of 0.48 habitat units (an 37.49 % increase) and 0.09 hedgerow units (a 106.71 % increase). The metric calculations meet the trading rules.

This biodiversity net gain is achieved by the creation and enhancing of various habitats such as mixed scrub, and rural trees, The proposed post development habitat map broadly aligns with the illustrative landscaping plan.

Significant Onsite Enhancement: The proposed BNG includes areas of medium distinctiveness habitats and significant areas of low distinctiveness habitat As a result, I advise that the On-Site enhancements should be considered Significant and should be secured by either a condition subject to which the planning permission is granted, a planning obligation, for at least 30 years after the development is complete.

Whilst the biodiversity gain condition is a post determination matter, the present information and habitat opportunity within the outline landscaping plan allows the LPA reasonable confidence that the general Biodiversity Condition will be discharged. The Biodiversity Net Gain Plan should be prepared in accordance with the approved metric and I advise this element is secured by Condition.

Habitat Management and Maintenance Plan (HMMP): I advise the means by which the Proposed habitats will be created and enhanced (the capital works) and then managed for 30 years should be shown within a Habitat Management and Maintenance Plan (HMMP) and secured by condition. I would also advise that the condition includes the use of the HMMP Template published by Natural England.



Other ecological opportunities: A number of species enhancements are recommended in the ecological report and I advise these are secured by Condition.

"Prior to the commencement of development, a Species Enhancement Plan by an appropriately experienced ecologist shall be submitted to and approved in writing by the LPA showing the location and type of species enhancements. This should be informed by the recommendations of the Luscinia Ecology, 21/08/2024 sections 5.44 and 5.60. All approved features shall be installed prior to first occupation of the dwelling and be maintained and retained thereafter.

Following completion of the dwelling and prior to their first occupation, a report from an appropriately qualified ecologist confirming that all the proposed features have been installed as per previously agreed specifications and locations together with photographic evidence shall be submitted to and approved in writing by the LPA."

Chiltern Beechwoods Special Area of Conservation:

The proposed development comprises the demolition and conversion of the existing agricultural buildings dwelling and their replacement/conversion to new dwellings. This suggests a net increase in residential accommodation. Given that the proposed development lies within the Chilterns Beechwoods Special Area of Conservation (SAC) 'Zone of Influence', the Habitats Regulations 2017 (as amended) apply and we recommend that as the competent authority, the Council must undertake a Habitats Regulations Assessment (HRA).

This is because we consider there is a credible risk that harmful impacts from the increase in recreational pressure on the SAC (alone or in combination with other plans or projects) may arise and that likely significant effects cannot be ruled out.

If, following further 'appropriate assessment', the HRA is subsequently unable to rule out adverse effects on the integrity of the SAC, mitigation will be required.

Effective mitigation will be best delivered by adopting the measures set out in the Council's strategic mitigation plan and the payment of the appropriate tariff(s). The latter will contribute to the implementation of 'strategic access management and mitigation measures' (SAMMs) alongside the creation of suitable alternative natural green spaces' (SANGs).

As there is no indication in the application that the tariff(s) will be paid, it is our opinion that adverse effects cannot be ruled out and consent cannot be granted until adequate mitigation is provided.

Environmental And  
Community Protection  
(DBC)

Having reviewed the planning application and considered the Environmental and Community Protection (ECP) Team records relevant to the site, I am able to confirm that there is no objection to the proposed development. However, it will be necessary for the developer to demonstrate that the potential for land contamination to affect the proposed development has been considered and where present that it will be remediated.

This reflects the proposal to introduce a residential end use, that would be vulnerable to the presence of contamination, on to a brownfield site that was historically under a commercial agricultural land use. Such a land use has the potential to have resulted in ground contamination.

As such the following conditions should be a requirement of any permission that might be granted.

Contaminated Land Conditions:

Condition 1:

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

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

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

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

(c) No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Strategy Report, which is to include all relevant remediation method statements; if required as a result of (b), above; has been submitted to and approved by the Local Planning Authority.

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

	<p>(i) All works which form part of the Remediation Strategy report pursuant to the discharge of condition (c) above have been fully completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.</p> <p>(ii) A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed to protect human health and the surrounding environment and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.</p> <p>Condition 2: Any contamination, other than that reported by virtue of Condition 1 encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically possible; a scheme to render this contamination harmless shall be submitted to and agreed by the Local Planning Authority and subsequently fully implemented prior to the occupation of this site. Works shall be temporarily suspended, unless otherwise agreed in writing during this process because the safe development and secure occupancy of the site lies with the developer.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed to protect human health and the surrounding environment and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.</p> <p>Informative: The above conditions are considered to be in line with paragraphs 180 (e) &amp; (f) and 189 and 190 of the NPPF 2023.</p> <p>Guidance on how to assess and manage the risks from land contamination can be found here: <a href="https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm">https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm</a> and here: <a href="https://www.dacorum.gov.uk/docs/default-source/environment-health/development-on-potentially-contaminated-land.pdf?sfvrsn=c00f109f_8">https://www.dacorum.gov.uk/docs/default-source/environment-health/development-on-potentially-contaminated-land.pdf?sfvrsn=c00f109f_8</a></p>
Hertfordshire Highways (HCC)	<p>Recommendation OTHER The amendments to the application relate to the description within the Application Form and no</p>

	<p>material amendments to the proposed development at the site have been proposed. Therefore, HCC as the Highway Authority wishes to retain the original response to the application.</p>
<p>Chipperfield Parish Council</p>	<p>Chipperfield Parish Council (CPC) has a long history in being pro-active on planning matters. In Year 2000 it undertook the creation of the Village Design Statement which was adopted in 2021 as supplementary planning guidance by DBC. In 2020 it undertook a Housing Need Survey funded/ supported jointly by DBC and Hastoe (housing association). This survey identified a strong need for smaller dwellings eg 2/3 bedroom 'affordable'.</p> <p>In the last 10 years CPC has been involved in positive engagement with developers on major schemes in the village for additional homes. These include 3 schemes whereby land was moved from horticultural/ commercial uses to residential. The outcomes of these 3 schemes have been welcomed by the community. This success taught CPC the benefit of positive engagement with developers'/applicants/ their advisors ideally prior to formal application to DBC. CPC has learned that early engagement improves the outcome of the final result such that CPC actively encourages early engagement by all applicants.</p> <p>The former owner of Tuffs Farm was well known to many villagers, not only as a farmer but also as an agricultural contractor used by not only residents but also for community works eg hedge cutting etc. His decision to retire and sell up was a matter of widespread concern/ worry by many residents because of the potential risk of inappropriate proposals being submitted for the site.</p> <p>CPC was pleased to be invited to engage initially with the owner applicant and subsequently with the applicant's design/planning/heritage team. Most CPC councillors have had the opportunity of site tour and explanation of the 'vision' for the site by the owner/ applicant. The high level of attention to detail, the passion for restoring/repurposing heritage buildings by the applicant gave confidence to CPC's planning team that a positive outcome for the community was within reach. An additional factor strengthening the proposal was the detailed guidance and advice to the applicant by Anne Davis (DLA Heritage) who is highly respected in the local area because of her detailed knowledge on heritage/conservation issues.</p> <p>In parallel with this engagement, a pre-app was submitted by the applicant to DBC. The recommendations within the pre-app response have been incorporated in full in the submitted scheme for 4 separate dwellings instead of 2 pairs of semi-detached dwellings in the pre-application scheme. In addition, CPC's suggestions have been adopted in respect of parking provision and other details.</p> <p>CPC is aware of other consultees advocating fully timbered elevations however CPC supports the application's elevation treatment of brick elevations to match as close as possible to those of the existing 18th</p>

	<p>century farmhouse, albeit with some timber clad details where appropriate. It is unusual to have a scheme come forward that is less dense than the existing which CPC supports because it enhances the green belt location and significantly improves the street scene views and also the views from across the open nearby countryside. The removal of the existing modern agricultural buildings will open up the site enabling a small development with thoughtful landscaping to be a positive improvement to the landscape of the village with its reduced built-form, sensitive design and improved openness of this area of the green belt.</p> <p>The foregoing gives the background to CPC's support of this application, by unanimous decision of its planning committee. CPC believes that this scheme once built will be welcomed by the community.</p> <p>One final point, CPC notes that a consultee has requested details of the intended restoration to the fabric of the listed barn. We recommend that the consultee be invited to inspect the restoration of the existing listed dwelling which is being executed to a high standard that may allay all concerns in this regard.</p>
<p>Environmental And Community Protection (DBC)</p>	<p>Having reviewed the planning application, in particular the JNP Group, Phase I Geo-Environmental Report May 2024 M44671-JNP-XX-XX-RP-G-1001 P01 and considered the information held by the Environmental &amp; Community Protection (ECP) Team in relation to the application site I am able to confirm that there is no objection to the proposed development.</p> <p>However, it will be necessary for the developer to demonstrate that the potential for land contamination to affect the proposed development has been considered and where it is present will be remediated.</p> <p>This is considered necessary as the site is brownfield with a proposed change of use from agricultural/commercial to residential with private gardens.</p> <p>Contaminated Land Conditions:</p> <p>Condition 1:</p> <p>(a) No development approved by this permission shall be commenced until an Intrusive Site Investigation Risk Assessment Report has been submitted to and approved by the Local Planning Authority which includes:</p> <p>(i) A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;</p> <p>(ii) The results from the application of an appropriate risk assessment methodology.</p> <p>(b) No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until</p>

a Remediation Method Statement report (including an options appraisal and verification plan); if required as a result of (b), above; has been submitted to and approved by the Local Planning Authority.

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

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

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

Reason: To ensure that the issue of contamination is adequately addressed to protect human health and the surrounding environment and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.

Condition 2:

Any contamination, other than that reported by virtue of Condition 1 encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically possible; a scheme to render this contamination harmless shall be submitted to and agreed by, the Local Planning Authority and subsequently fully implemented prior to the occupation of this site. Works shall be temporarily suspended, unless otherwise agreed in writing during this process because the safe development and secure occupancy of the site lies with the developer.

Should no ground contamination be encountered or suspected upon the completion of the groundworks, a statement to that effect shall be submitted in writing to the Local Planning Authority prior to the first occupation of the development hereby approved.

Reason: To ensure that the issue of contamination is adequately addressed to protect human health and the surrounding environment and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.

Informative:

The above conditions are considered to be in line with paragraphs 180 (e) & (f) and 189 and 190 of the NPPF 2023.

Guidance on how to assess and manage the risks from land contamination can be found here:

<https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm> and here:

	<p><a href="https://www.dacorum.gov.uk/docs/default-source/environment-health/development-on-potentially-contaminated-land.pdf?sfvrsn=c00f109f_8">https://www.dacorum.gov.uk/docs/default-source/environment-health/development-on-potentially-contaminated-land.pdf?sfvrsn=c00f109f_8</a></p> <p>Please let me know if you have any questions about this advice and recommendation.</p> <p>Regards</p>
<p>Environmental And Community Protection (DBC)</p>	<p>With reference to the above planning application, please be advised the Environmental Health Pollution Team have no objections or concerns re noise, odour or air quality. However, I would recommend the application is subject to informatives for waste management, construction working hours with Best Practical Means for dust, Air Quality and Invasive and Injurious Weeds 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 <a href="mailto:ecp@dacorum.gov.uk">ecp@dacorum.gov.uk</a> 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</p>

partnership by the Greater London Authority and London Councils.

#### 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 appropriately.

#### Air Quality Informative.

As an authority we are looking for all development to support sustainable travel and air quality improvements as required by the NPPF. We are looking to minimise the cumulative impact on local air quality that ongoing development has, rather than looking at significance. This is also being encouraged by DEFRA.

As a result as part of the planning application I would recommend that the applicant be asked to propose what measures they can take as part of this new development, to support sustainable travel and air quality improvements. These measures may be conditioned through the planning consent if the proposals are acceptable.

A key theme of the NPPF is that developments should enable future occupiers to make "green" vehicle choices and (paragraph 35) "incorporates facilities for charging plug-in and other ultra-low emission vehicles". Therefore an electric vehicle recharging provision rate of 1 vehicle charging point per 10 spaces (unallocated parking) is expected. To prepare for increased demand in future years, appropriate cable provision should be included in the scheme design and development, in agreement with the local authority.

Please note that with regard to EV charging for residential units with dedicated parking, we are not talking about physical charging points in all units but the capacity to install one. The cost of installing appropriate trunking/ducting and a dedicated fuse at the point of build is miniscule, compared to the cost of retrofitting an EV charging unit after the fact, without the relevant base work in place.

In addition, mitigation in regards to NOx emissions should be addressed in that all gas fired boilers to meet a minimum standard of 40 mg NOx/Kwh or consideration of alternative heat sources.

#### Invasive and Injurious Weeds - Informative

Weeds such as Japanese Knotweed, Giant Hogweed and Ragwort are having a detrimental impact on our environment and may injure livestock. Land owners must not plant or otherwise cause to grow in the wild any plant listed on schedule 9 of the Wildlife and Countryside Act



	<p>1981. Developers and land owners should therefore undertake an invasive weeds survey before development commences and take the steps necessary to avoid weed spread. Further advice can be obtained from the Environment Agency website at <a href="https://www.gov.uk/japanese-knotweed-giant-hogweed-and-other-invasive-plants">https://www.gov.uk/japanese-knotweed-giant-hogweed-and-other-invasive-plants</a></p>
<p>Conservation &amp; Design (DBC)</p>	<p>Tuffs Farm Tower Hill, Chipperfield Demolition of existing barns, repair to the Listed barn, improvement to setting of Listed cottages and barn. Construction of 4 new residential barns, associated parking and landscaping.</p> <p>Tuffs Farm is a grade II listed farmhouse on the west side of Tower Hill and at the northern edge of the Chipperfield Conservation Area; the site is towards the periphery of Chipperfield village and within the Green Belt. The site include Tuffs Farmhouse (grade II listed), the property dates to the sixteenth century and is of timber frame construction, cased in brick in the 19th century. A grade II listed barn lies to the south and there are other modern / 20th century farm buildings to the immediate south of the barn and to the western end of the site. The modern barns are not of any particular architectural merit but clearly reflect their use as part of a farm. The site is visible from Tower Hill and in views from Stoney Lane, across the fields. Both historic listed buildings on the site have a strong linear quality and are aligned on an east-west basis with a yard between, this is shown on historic mapping - with the nineteenth century stable extension to the barn forming the western boundary of the yard.</p> <p>Consent has recently been granted for internal alterations to Tuffs Farmhouse as part of its renovation and use as two separate dwellings.</p> <p>The demolition of the existing modern barns and construction of 4 residential dwellings was subject to pre-application advice.</p> <p>There is no objection to the demolition of the existing modern farm buildings at Tuffs Farm and it is acknowledged that removing the large steel frame farm building immediately to the south of the listed barn and the structures adjoining its western end will improve its immediate setting and enhance the Tower Hill street scene.</p> <p>The application refers to the repair of the listed barn but little detail has been provided and it is not clear how much impact removing the modern structures surrounding / attached to the barn will have upon its structure / fabric, or the repairs that will be required. More information is needed.</p> <p>The principle of replacing the modern farm buildings with new dwellings in a courtyard layout to the west of the listed barn and farmhouse is</p>

	<p>broadly supported. However, as raised at the pre-application stage there are concerns over the design of the dwellings, particularly plots 2 and 3 which have a very square footprint, long flank elevations with large gabled projections to front and rear and a mix of brick / weatherboard. If each of the new dwellings had a simpler, more linear, rectangular footprint their design / form would be more sympathetic to the setting of the listed farmhouse and barn and to the character and appearance of the Conservation Area. There could be an option to join two of the dwellings, ie plots 2 and 3, rather than have 4 individual detached dwellings.</p> <p>The proposed new dwellings do not preserve the significance of Tuffs Farmhouse / the listed barn by virtue of their scale (footprint) and design, and the proposal fails to preserve the character and appearance of the Conservation Area. As such the scheme result in 'less than substantial' harm to the significance of these designated heritage assets. In this case there are public / heritage benefits identified and these should be weighed against the harm (as per NPPF para. 208). However, it is recommended alterations to the scheme are made to provide a clear enhancement to the Conservation Area and setting of the listed buildings at Tuffs Farm. Furthermore, details of the repairs required to the listed barn need to be set out as part of the application proposals.</p> <p>Further comments from the Conservation Officer include: 18<sup>th</sup> December 2024</p> <p>The farm buildings to be demolished are circa mid twentieth century utilitarian structures and whilst they are of little architectural merit they reflect the long-term historic use of the site as a farm both in terms of their design and layout.</p> <p>The four detached new dwellings have an overly suburban and domestic quality in terms of their layout, scale (footprint) and design, and thus fail to preserve the setting of Tuffs Farmhouse / the listed barn thereby harming the significance of these designated heritage assets. The character and appearance of the Chipperfield Conservation Area would also be adversely impacted, harming its significance.</p> <p>The proposed scheme as a whole does result in some public benefit, from removal of the farm building to immediate south of listed barn. I would take the view that the public benefits do not outweigh the harm identified (as per NPPF para. 215).</p>
--	---

**APPENDIX B: NEIGHBOUR RESPONSES**

**Number of Neighbour Comments**

<b>Neighbour Consultations</b>	<b>Contributors</b>	<b>Neutral</b>	<b>Objections</b>	<b>Support</b>
21	0	0	0	0

**Neighbour Responses**

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