

4/01679/16/FUL - CONVERSION OF EXISTING DISUSED STABLES BUILDING TO CREATE A NEW DWELLING. WORKS TO INCLUDE THE RENOVATION OF EXTERNAL FACADES, ASSOCIATED LANDSCAPING AND THE RENOVATION OF THE EXISTING FEED STORE BUILDING INTO A GARDEN STUDIO ROOM.. PAMPARD HOUSE, BRADDEN LANE, GADDESSEN ROW, HEMEL HEMPSTEAD, HP2 6JB.

APPLICANT: MR & MRS TONY AND CLARE MARTIN.

[Case Officer - Amy Harman]

Summary

The application is recommended for approval.

Site Description

The Stables at Pampard House are located on the east side of Bradden Lane, Gaddesden Row, They are of concrete block construction with a flat roof. The disused feed store is of a similar construction with a pitched roof. The application falls within a designated rural area and within the Chilterns Area of Outstanding Natural Beauty. The site slopes down from Bradden Lane to the existing stables and then away to the rear to the east. There are several outbuildings located on the site including the disused feed store and a disused manege.

Proposal

Conversion of existing disused stables building to create a new dwelling, works to include the renovation of external facades, associated landscaping and the renovation of the existing feed store building into a garden studio room.

Referral to Committee

The application is referred to the Development Control Committee due to the contrary views of Great Gaddesden Parish Council.

Planning History

4/04094/15/FH TWO STOREY FRONT, SIDE AND REAR EXTENSION,
A ALTERATIONS TO THE ROOF, RAISED PLATFORM AT REAR,
ALTERATIONS TO FENESTRATION AND EXTERNAL
MATERIALS
Granted
04/04/2016

4/01213/11/FH REPLACEMENT DORMER TO SIDE OF HOUSE
A
Granted
23/09/2011

4/00482/07/FH SINGLE STOREY SIDE EXTENSION AND PORCH
A

Granted
20/04/2007

4/00347/07/FH TWO STOREY SIDE EXTENSION
A

Withdrawn
29/03/2007

4/01504/06/FH TWO STOREY SIDE EXTENSION AND PORCH (AMENDED
A SCHEME)

Granted
25/08/2006

4/00921/06/FH TWO STOREY SIDE EXTENSION
A

Withdrawn
09/06/2006

4/01249/90/4 SIX SINGLE STOREY COMMERCIAL UNITS AND ALTERATIONS
TO ACCESS

Refused
18/10/1990

4/01410/89/4 EIGHT SINGLE STOREY COMMERCIAL UNITS AND
ALTERATIONS TO ACCESS

Refused
30/11/1989

Policies

National Policy Guidance

National Planning Policy Framework (NPPF)
Circular 11/95

Adopted Core Strategy

NP1 - Supporting Development
CS1 - Distribution of Development
CS2 - Selection of Development Sites
CS7 - Rural Area
CS8 - Sustainable Transport
CS9 - Management of Roads
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design

CS13 - Quality of Public Realm
CS17 - New Housing
CS24 - Chilterns Area of Outstanding Natural Beauty
CS25 - Landscape Character
CS28 - Renewable Energy
CS29 - Sustainable Design and Construction
CS30 - Sustainability Offset Fund
CS31 - Water Management
CS32 - Air, Water and Soil Quality

Saved Policies of the Dacorum Borough Local Plan

Policies 110
Appendices 3,7

Supplementary Planning Guidance / Documents

Environmental Guidelines (May 2004)
Water Conservation & Sustainable Drainage (June 2005)
Energy Efficiency & Conservation (June 2006)
Accessibility Zones for the Application of car Parking Standards (July 2002)
Landscape Character Assessment (May 2004)
Chilterns Buildings Design Guide (Feb 2013)

Advice Notes and Appraisals

Sustainable Development Advice Note (March 2011)

Summary of Representations

Great Gaddesden Parish Council

Object;
Detrimental effect on the AONB
Over development of the site
Unacceptable precedent for development in this location

Chilterns Conservation Board

The conversion of the buildings must be assessed alongside the new extension and infilling of the yard area to create new floorspace. Policies CS7 of the adopted Core Strategy applies to rural areas and applies to uses including agriculture, forestry, mineral extraction, countryside recreation uses, social, community and leisure uses, essential utility services and uses associated with a farm diversification. Strictly none of these apply to a proposal to create a new dwelling. The second part of the policy establishes that small-scale development will be permitted: i.e. (i) for the above uses; (ii) the replacement of existing buildings for the same use; (iii) limited extensions to existing buildings; (iv) the appropriate reuse of permanent, substantial buildings; and (v) the redevelopment of previously developed sites 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. CCB has interpreted this to the effect that a use other than those listed is acceptable if

it is a replacement, limited to existing buildings or an appropriate re-use with no significant impact on the character and appearance of the countryside.

This Core Strategy policy is combined with the saved Local Plan Policy 97. Policy 97 states that 'In the Chilterns Area of Outstanding Natural Beauty the prime planning consideration will be the conservation of the beauty of the area; the economic and social well-being of the area and its communities will also be taken into account. Any development proposal which would seriously detract from this will be refused.

Wherever development is permitted it will be on the basis of its satisfactory assimilation into the landscape'.

The Chilterns Building Design Guide at 3.26 deals with the scale and form of new buildings and establishes that 'It is important to consider how the scale and form of a proposed new building will affect its visibility in the landscape, and its relationship to nearby buildings. It is essential that the building is designed to fit the site'.

The design proposed here could be concluded to conserve the landscape due to the quality of materials proposed and low level nature of development involved. The nature of development involves some development beyond the existing footprint (i.e. it is not wholly a conversion within the existing building). To promote the wider conservation of this nationally protected landscape CCB would place weight on both the Chilterns Buildings Design Guide (as the applicants do) and also to the Hertfordshire County Council 2003 Landscape Character Assessment. This establishes at its page 127 the need to 'ensure that the surroundings of converted and new buildings are designed and maintained to be in keeping with their agricultural surroundings by ensuring that 'Garden' details are be screened from view where possible and native species are used for hedging and tree planting to the perimeter'.

If permission is to be favourably recommended here CCB considers that some of the land edged blue can be returned to the wider landscape character. For example the menage (which must be redundant alongside the stables) can be returned to the landscape as a commensurate landscape improvement. Additionally the new parking area to the north of the stables and in place of the polytunnels could be the subject of landscaping to further screen or simply reduce hardstanding areas/surfaces.

We accept that this part of Gaddesden Row, within the AONB, incorporates some development which straddles Bradden Lane with a combination of residential and some former agricultural development. The application site enjoys potential to reduce the level of wider residential appearance, which is a reasonable planning request as a new residential development is being promoted. We commend the landscape character assessment here and would envisage that the applicant may wish to consider this as a landscaping commitment linked to any planning consent.

Improvements to the wider landscape are a matter of relevance to our statutory purposes and duties when considering planning applications.

CCB proposes that by linking the new development to the landscape character within which the application site is contained will assist in delivering the policy requirements of CS 7 (no significant impact on the character and appearance of the countryside) and policy 97 (the prime planning consideration will be the conservation of the beauty of the area) as well as the national policy test in NPPF 115 (Great weight should be given to conserving landscape and scenic beauty). This does, CCB concludes, require a landscaping plan or indeed master-plan to reduce other

Further comments from CCB after Landscape Plan submitted ;

The Chilterns Conservation Board has been consulted on the submission of amended plans and our previously submitted comments dealt with the submission of landscape

improvements and matters of setting within the context of the AONB. This application was reported to the CCB Planning Committee meeting on 21st September 2016. The amendments proposed were considered to address the landscape setting and the CCB would also refer back to previous comments that if the LPA are minded to approve that planning conditions are used to control residential permitted development and to maintain the landscaping / planting elements as would be required in accord with Local and National planning policy in a nationally protected landscape. CCB would recommend that if the application is to be recommended that the applicant's landscape conservation statement, dated 17th August 2016, provides the basis for suitable planning conditions and in supporting the removal of residential permitted development rights.

The CCB are grateful for the opportunity to submit these comments.

Hertfordshire County Council - Highways

PARKING - Two off street parking spaces are to be provided as well as two cycle stores, on an extended hard standing to the front of the plot.

I notice from drawing no "2121(11) - 500 rev D - Proposed Block Plan" that the measurements for minimum parking space size have been met, while document "Proposed Landscaping Plan Revision C" indicates that the new on site vehicular areas will be surfaced in acceptable and permeable material.

ACCESS - The site has an existing vehicular and pedestrian access onto Bradden Lane. No changes to vehicular or pedestrian access are proposed and no works are required in the Highway.

Bradden Lane is an unclassified local access road with a speed limit of 60 mph, so vehicles are not required to enter and exit the site in forward gear. However, there is adequate manoeuvring space on site to allow this to be achieved. There have been no accidents in the vicinity of the site in the last 5 years.

CONCLUSION - Hertfordshire County Council as Highway Authority considers the proposal would not have an increased impact on the safety and operation of the adjoining highways.

Hertfordshire Ecology

Thank you for sending the modifications to the landscaping which I consider to be acceptable from a biodiversity perspective.

Traditionally orchards were protected with hedgerows to provide some shelter and wind break and further planting may be required in due course to provide this along the SE boundary of the former manege, depending on the direction and strength of the prevailing wind. Whilst I have no reason to insist on this ecologically, such measures would also provide additional landscaping and ecological benefit to the site, although this will be achieved with the current proposals to a satisfactory extent ecologically.

Historic England

In this instance I consider that the scheme is unlikely to have an impact upon heritage assets and I therefore have no specific comment to make upon it.

Contaminated Land Officer

The former agricultural use of the site represents a potentially contaminative land use. The site is also located within the vicinity of a potentially contaminative former land use (old chalk pits). Consequently there may be land contamination issues associated with this site. Due to the sensitive nature of the proposed land use, I recommend that the standard contamination condition be applied to this development should permission be granted. For advice on how to comply with this condition, the applicant should be directed to the Council's website (www.dacorum.gov.uk/default.aspx?page=2247).

Response to Neighbour Notification / Site Notice

Joint response from 1 and 2 Bucklands Field, Bradden Lane - Objection

The proposed development requires significant rebuilding and extensions in order to create a new dwelling and would clearly not be a conversion or appropriate reuse of a substantial building as required by local policy. No structural survey has been submitted or details relating to the extent of the proposed works. The introduction of this dwelling and creation of an additional residential curtilage would have a significantly greater impact on the visual amenity of the surrounding landscape than the small scale stables. The proposal is contrary to local and national policy and cannot be approved.

The proposed dwelling and associated residential curtilage would not be compatible with the rural context of this site and would significantly detract from the visual amenity of this Area of Outstanding Natural Beauty.

The proposed development would harm the visual and residential amenity of the adjoining occupiers.

This narrow country lane is not suitable for a high volume of traffic or large construction vehicles. The site also has poor access to public transport networks and local facilities and services. New residential development should be directed towards existing towns and villages.

The revisions are minor and have not addressed the key issues or the concerns of the adjoining occupiers.

The proposal clearly constitutes an unsustainable form of development and the Council is respectfully requested to refuse the application accordingly.

Considerations

Policy and Principle

Paragraph 55 of the National Planning Policy Framework (NPPF) states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.

Paragraph 55 seeks to avoid new isolated homes in the countryside unless there are

special circumstances. One of the special circumstances is as follows:

- where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting;

Furthermore, Core Strategy Policy CS7 permits limited extensions to existing buildings and small-scale development including the redevelopment of previously developed sites, provided that it has no significant impact on the character and appearance of the countryside.

The site is previously developed land, and the proposal is for a limited extension to an existing building, as such, it is considered that the principle of conversion of the existing stable building and associated change of use would be acceptable.

Furthermore paragraph 58 identifies that development should respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation; requiring development to be visually attractive as a result of good architecture and appropriate landscaping

Paragraph 63 identifies that in determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area.

Core Strategy Policy CS1 advises that development that supports the vitality and viability of local communities, causes no damage to the existing character of a surrounding area and is compatible with policies protecting the Chilterns Area of Outstanding Natural Beauty (AONB) will be supported.

Local Plan Policy 110 is saved and is a material consideration in the assessment of the application. This policy requires a sequential approach when considering the appropriateness of alternative uses of agricultural buildings. However, the NPPF and Policy CS7 of the Core Strategy do not require such a test to be undertaken; this represents a clash in the policy requirements. As the latter provisions are given greater weight, in this instance it is not considered reasonable to carry out the sequential test. The proposal is not considered to conflict with the objectives of saved Policy 110 in terms of reuse of a rural building, in particular:

- (a) the proposal does not result in the loss of a tenanted agricultural building needed for the satisfactory functioning of a farm, displacement of an essential local service/facility or the requirement for new building;
- (b) the building is of permanent and substantial construction and capable of conversion without major or complete reconstruction;
- (c) the use of the building serves the local area and would not lead to the dispersal of activity on such a scale as to prejudice the vitality of a nearby town or village or encourage a significant amount of car travel by employees or business visitors;
- (d) the traffic generated can be safely accommodated by the site access and the local road network;
- (e) its form, bulk and general design are in keeping with its surroundings;

(f) no new fences, walls or other structures associated with the use of the building or the definition of its curtilage are erected which would harm the visual amenity of the countryside; and

(g) no activity or storage takes place outside the building (other than limited parking or servicing to meet the essential needs of the use).

Saved Local Plan Policy 97 provides advice on development in the Chilterns Area of Outstanding Natural Beauty. The prime planning consideration being the conservation of the beauty of the area. It advises that any development proposal which would seriously detract from this will be refused. It advises that wherever development is permitted, it will be on the basis of its satisfactory assimilation into the landscape.

The Chilterns Building Design Guide at 3.26 deals with the scale and form of new buildings and establishes that 'It is important to consider how the scale and form of a proposed new building will affect its visibility in the landscape, and its relationship to nearby buildings. It is essential that the building is designed to fit the site'.

The Hertfordshire County Council 2003 Landscape Character Assessment at page 127 identifies the need to 'ensure that the surroundings of converted and new buildings are designed and maintained to be in keeping with their agricultural surroundings by ensuring that 'Garden' details are be screened from view where possible and native species are used for hedging and tree planting to the perimeter'.

On the basis of this policy background, the principle of conversion of the building and associated change of use to create one new dwelling is acceptable. The main issues of this case relate to the impact of the proposal on the open character of the Rural Area and the natural beauty of the AONB.

Effects on appearance of building

The design of the proposal has been developed using the guidelines from the Chilterns Buildings Design Guide. The proposal aims to provide a contemporary dwelling whilst complementing its rural location.

The new dwelling will be formed within the footprint of the existing stables with an infill of 69 square metres (Policy CS7).

The applicant has provided a construction statement which details how the existing stable building will be converted to a residential dwelling. This identifies that the existing blockwork structural walls of the stables will be retained and will form the basis of the structure of the new dwelling.

The proposals seeks to retain, refurbish and upgrade the existing structure. The existing stables building being a single storey structure that steps down the site with the gradient of the land.

Due to the additional insulation requirements the finished floor levels will be higher than the existing. In addition, the level change across the building has also meant that a flat roof spanning across the former yard would not be possible, therefore the angle of the southern roof slope has been continued up to form the new roof and would

result in a small increase in the overall roof height.

The existing roof will be entirely removed and replaced by a new lightweight insulated timber structure that will bear onto both the existing walls and the new internal walls being built within the existing courtyard. Any new structure is contained within the existing courtyard.

The table shows the height comparison of the existing and proposed structure;

Type	Highest Point of Roof	East Eaves	West Eaves
Existing Height	3010mm	3210mm	2575mm
Proposed Height	4041mm	3710mm	3070mm

The design of the proposals has been developed using the guidelines from the Chilterns Building Design Guide 2010 which is welcomed. Materials proposed include locally sourced timber cladding (on the existing structure) with a Standing Seam Zinc roof and powder coated aluminium frame windows. There are three roof lights proposed.

The stables building will continue to be screened from Bradden Lane by the mature hedgerow and an additional area of proposed hedgerow.

To the rear (facing east) a timber decked area is proposed with bi-fold doors. This is to be screened with a timber privacy screen to the north. All the proposed new windows on the north elevation will be obscure glazed. There is an entrance to the utility on the north elevation, however this is largely screened by the existing hedge.

The feed store building is largely retained for the use of a studio associated with the new dwelling, with the retention of the existing door openings and the windows to the west elevation, again this is to be timber clad with a standing steam zinc roof. There is no proposed change to the scale of the feed store building.

It is therefore considered that the appearance of the new building, positively enhances the rural area by using more appropriate and attractive materials. The net addition of 69 square metres of floorspace is a relatively minor infill and the increase in height of 1 metre (at the highest point) is a relatively modest addition to the existing building.

Impact upon the Rural Area

The proposal would include limited infilling (as detailed above) which does not extend beyond the existing north facade of the existing building. There are external alterations to the existing fenestration and an increase of the height of the building by one metre (at the highest point). The existing unsympathetic walls and roof would be replaced by wood cladding and zinc which are considered to assimilate well with the surroundings. The dwelling will be screened from Bradden Lane by the retained mature hedgerow, the height of which blocks views of the proposal. The proposal therefore has little impact on the skyline.

Given that the proposal will not encroach beyond the building line of the existing front elevation the extension will not harm the pattern of development along Bradden Lane.

In these circumstances, there would be no significant impact on the character and appearance of the countryside and therefore the proposal would maintain the character and appearance of the wider countryside and AONB.

The proposal would therefore accord with Policy CS7.

In accordance with NPPF paragraph 58, the applicant has provided a landscape improvement plan which seeks to improve the character of the surrounding landscape. These are identified in four areas;

1. Removal of unsightly domestic facilities, specifically the heaps and poly tunnel
2. 798 m² of the site being returned to grassland, with an additional 139 m of the existing hardstanding being converted
3. 4 new native trees will be planted for wildlife and improving privacy and screening from the AONB, diminishing the current impact
4. 5 new areas of hedgerow will be planted to improve privacy and screening from the AONB

In addition to these improvements afforded by the new trees, hedgerows and grassland mix, following the advice from Hertfordshire Ecology, three bat boxes are proposed for the site. It is proposed that these boxes will be positioned in existing trees at least 4m above ground level. The boxes have been located in trees close to the existing established hedgerow, and orientated for good sun exposure.

Both Chilterns Conservation Board and Hertfordshire Ecology have been consulted on the landscape proposals and are happy with the improvements suggested and the proposals are considered to address the landscape setting improvement requirements.

As such the proposals meet the criteria set out in paragraph 58 of the NPPF, in that the proposals respond to local character of the area, are visually attractive as a result of good architecture and appropriate landscaping has been proposed.

Effect on Street Scene and AONB.

Due to the existing and proposed screening from Bradden Lane the site it is not visible from the highway. Although the proposals are visible from a public footpath (east of Bradden Lane), the landscape improvements proposed would enhance the view from the South to this part of Bradden Lane.

For these reasons and the reasons given above, it is considered that the improved appearance of the site will therefore improve its appearance within the AONB, be in keeping with the typical vernacular and would conserve the landscape, therefore complying with saved Policy 97.

Residential Amenity

Appendices 3 and 5 are relevant together with Policies CS10, 11, 12 and 13. Normal requirements with regards to parking, access, amenity space, bins etc. apply.

The details on plan are considered acceptable.

Sufficient amenity space has been provided which is bounded by a mix of new and retained hedgerows and retained post and rail fencing.

It is considered that sufficient provision has been made for bin storage.

With regards to parking, it is considered that the proposal meets maximum parking standards as contained within Saved Appendix 3 of the Dacorum Borough Local Plan. These arrangements have been softened by the landscape plans and are acceptable.

Impact on Trees and Landscaping

There has been a detailed landscaping plan submitted (as detailed above). Hertfordshire Ecology's advice fully informed the evolution of this plan, consequently Hertfordshire Ecology considered it to be acceptable from a biodiversity perspective.

Impact on Highway Safety

The site is accessed from an existing egress off Bradden Lane. Bradden Lane is an unclassified local access road with a speed limit of 60 mph, so vehicles are not required to enter and exit the site in forward gear. However, there is adequate manoeuvring space on site to allow this to be achieved. There have been no accidents in the vicinity of the site in the last 5 years. Hertfordshire County Council as Highway Authority therefore considers that the proposal would not have an increased impact on the safety and operation of the adjoining highways.

Impact on Neighbours

The objections received are from the neighbours of the site at numbers 1 and 2 Bucklands Field.

Their objection states that;

' The existing stables are located adjacent to the common boundary with number 1 Bucklands Fields and are visible from this property. The proposed dwelling would have a significantly higher roof level than the existing stables and would extend the full depth of the garden serving 1 and 2 Bucklands Field. The increase in the scale and bulk of the building would result in a more dominant impact on the occupiers of these properties than the existing situation. The stables are also located to the south of these properties and as such the proposal would cause a degree of overshadowing, contributing to the adverse impact of the proposal. The owners of the adjoining property are seriously concerned with the impact of these changes on their visual and residential amenity.

The proposed dwelling includes a series of openings and a raised platform serving the utility room on the elevation directly adjacent to the common boundary with number 1 Bucklands Field. In addition to this, a large balcony is proposed to the rear of the dwelling providing a raised amenity area for the future occupiers. The openings and raised platforms would have privacy and overlooking implications on adjoining occupiers to the detriment of their amenity and living conditions. The proposed ancillary accommodation provided at the end of the garden would also have views directly towards the gardens and rear elevation of these semi-detached dwellings. Furthermore, the existing post and rail fencing would not be sufficient in restricting

views into these properties, seriously detracting from the privacy of the occupiers. Given the sensitive rural setting of the application site, it would not be appropriate to construct close board fencing to restrict views given its domestic appearance.

It is acknowledged that a screen has been provided adjacent to one of the proposed raised platforms. However, this minor alteration would be insufficient in addressing the concerns raised above and could be removed after the granting of permission.

The adjoining occupiers, numbers 1 and 2 Bucklands Field, value their privacy and the quiet nature of this rural area. They have concerns that the introduction of this five bedroomed dwelling with ancillary accommodation would significantly increase noise and general disturbance, eroding the quiet environment they currently enjoy. They have also expressed serious concerns about light pollution resulting from the numerous new openings.

The revised scheme would still therefore have implications of the visual and residential amenity of the adjoining occupiers and have not addressed their concerns.'

1 and 2 Bucklands Field, a semi-detached pair, are located to the north of the proposal site a minimum of 15.7m. 2 Bucklands Field being some distance away. Directly on the boundary, on the land surrounding 1 Bucklands Field are various sheds, a greenhouse and vegetable gardens. The boundary is punctuated by a high hedge where you can just make out the existing roof of the stables at Pampard House. The actual house of 1 Bucklands Field is set further north on the other side of this paraphernalia further towards Bradden Lane some distance away. The proposed new dwelling will retain the same distance from the boundary with this property and at its highest point, will be 1 metre taller than the existing building. The proposal seeks to plant an additional hedgerow to follow the boundary with 1 Bucklands Field to the end of the proposed garden area therefore reinforcing the division of the two properties.

The objection maintains that their privacy will be disturbed by the raised platform to the rear of the proposed stables. However the applicant has sought to insert a privacy barrier on the north side so that there is now minimal potential for overlooking. In addition all the windows on the north elevation will be obscure glazed. Owing to the levels on this site, the privacy screen and the proposed hedgerows it is considered that there is only a minimal potential for increased overlooking into 1 Bucklands Field.

The objections also relate to the potential for overshadowing. Given the separation of the proposed new dwelling to the house at 1 Bucklands Field and the limited increase in height of the existing building by 1 metre, this would not result in any material harm.

Therefore it is considered that there is no material harm to neighbouring properties due to the separation of the properties, therefore the proposals comply with saved Policy CS12.

Sustainability

A CS29 checklist has been provided.

Other Material Planning Considerations

It is considered appropriate to remove the majority of permitted development rights by condition to ensure that there are no further impact on the AONB.

To include;

Schedule 2 Part 1 Classes A, B, C, D, E, F, G and H and Part 2 Classes A and B of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Conclusions

The proposal facilitates the use of previously development land with limited infilling and it is therefore considered that the principle of the development is acceptable. The design proposed, conserves the open character of the rural area whilst using good quality, local materials. The proposal as a whole, including the enhanced landscaping proposals would lead to an enhancement to the landscape. Therefore there would be no material harm to the rural area and the AONB. There is no significant impact on neighbours.

RECOMMENDATION - That planning permission be **GRANTED** for the reasons referred to above and subject to the following conditions:

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

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

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

Design and Access Statement

2121(10)500E,

2121(10)501E,

2121(11)500F,

2121(20)500A,

2121(20)501A,

2121(21)500D,

2121(21)501C,

2121(20)700B,

2121(21)700C,

2121(31)500C,

2121(31)501D,

2121(31)700C,

2121(41)500A,

Existing Landscaping Plan, Proposed Landscaping Plan RevC, Landscape Conservation Statement Rev.B

CS29 Checklist RevA

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

- 3 **The development hereby permitted shall be constructed in accordance with the materials specified on the approved drawings.**

Reason: To ensure a satisfactory appearance to the development in accordance with Adopted Core Strategy CS12

- 4 **All structures (including those structures not substantially completed), other than those shown for retention on the approved plans or permitted by this permission, shall be demolished and the materials arising from demolition removed from the site prior to the implementation of the development hereby permitted.**

Reason: In the interests of maintaining the open character of the Rural Area in accordance with Adopted Core Strategy CS7

- 5 **Prior to the commencement of the development hereby permitted a Phase I Report to assess the actual or potential contamination at the site shall be submitted to and approved in writing by the local planning authority. If actual or potential contamination and/or ground gas risks are identified further investigation shall be carried out and a Phase II report shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development. If the Phase II report establishes that remediation or protection measures are necessary a Remediation Statement shall be submitted to and approved in writing by the Local Planning Authority.**

For the purposes of this condition:

A Phase I Report consists of a desk study, site walkover, conceptual model and a preliminary risk assessment. The desk study comprises a search of available information and historical maps which can be used to identify the likelihood of contamination. A simple walkover survey of the site is conducted to identify pollution linkages not obvious from desk studies. Using the information gathered, a 'conceptual model' of the site is constructed and a preliminary risk assessment is carried out.

A Phase II Report consists of an intrusive site investigation and risk assessment. The report should make recommendations for further investigation and assessment where required.

A Remediation Statement details actions to be carried out and timescales so that contamination no longer presents a risk to site users, property, the environment or ecological systems.

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development in accordance with Policy CS32 of the Core Strategy

- 6 All remediation or protection measures identified in the Remediation Statement referred to in Condition (5) shall be fully implemented within the timescales and by the deadlines as set out in the Remediation Statement and a Site Completion Report shall be submitted to and approved in writing by the local planning authority prior to the first occupation of any part of the development hereby permitted.**

For the purposes of this condition a Site Completion Report shall record all the investigation and remedial or protection actions carried out. It shall detail all conclusions and actions taken at each stage of the works including validation work. It shall contain quality assurance and validation results providing evidence that the site has been remediated to a standard suitable for the approved use.

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development in accordance with Policy CS32 of the Core Strategy

Informative:

Paragraph 121 of the NPPF states that all site investigation information must be prepared by a competent person. This is defined in the framework as 'A person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation.'

Contaminated Land Planning Guidance can be obtained from Regulatory Services or via the Council's website www.dacorum.gov.uk

- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending or re-enacting that Order with or without modification) no development falling within the following classes of the Order shall be carried out without the prior written approval of the local planning authority:**

**Schedule 2 Part 1 Classes A, B, C, D, E, F, G and H
Part 2 Classes A and B**

Reason: To enable the local planning authority to retain control over the

development in the interests of safeguarding the residential and visual amenity of the locality in accordance with Adopted Core Strategy Policy CS7 and Saved Local Plan Policy 97

Informatives

Bats and their roosts remain protected at all times under National and European law. If bats or evidence for them is discovered during the course of development works, work must stop immediately and advice sought on how to proceed lawfully from Natural England (tel: 0300 060 3900) or a licensed bat consultant.

1. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website: <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.

2. Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047

Article 35 Statement

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.