

Dacorum Borough Council

Development Management

The Forum
Marlowes
Hemel Hempstead
Herts
HP1 1DN



PLANNING CASEWORK DELEGATED REPORT

20/01927/FUL	Replace existing damaged fencing/hedge with post and rail fencing. Relocate existing access gate to the field.	
Site Address:	Plot 17 Land South East Of Church Road Little Gaddesden Hertfordshire HP4 1NZ	
Applicant/Agent:	Mr Steven Kinson	
Case Officer:	Briony Curtain	
Parish/Ward:	Little Gaddesden Parish Council	Ashridge

RECOMMENDATION

That planning permission be REFUSED.

SITE DESCRIPTION

The application site is located to the southern side of Church Road in Little Gaddesden, at the bend in the road immediately opposite the Grade I church of St Peter and St Paul. The application site is open and currently only partially enclosed by timber post and wire fencing. The application site has no direct vehicular access. The site together with the surrounding fields are accessed by gates on the plot next door to the application site. There is a public right of way crossing the application site, with a pedestrian gates opposite the church and further to the rear.

PROPOSAL

Planning Permission is sought for replacement fencing in part, additional fencing and the introduction of a new vehicular access (gate) onto Church Road. The existing access would be closed off (fenced over).

It was originally proposed to relocate the public right of way but this element of the proposal has now been omitted.

PLANNING HISTORY

Planning Applications (If Any):

20/02132/TPO - Works to tree

GRA - 10th September 2020

4/01744/09/DRC - Details of hedge infill and external lighting as required by conditions 3 & 5 of planning permission 4/01176/09/ful (replacement stable block)
GRA - 18th February 2010

4/01176/09/FUL - Replacement stable block
GRA - 22nd September 2009

4/00354/09/FUL - gates and fencing
REF - 27th May 2009

4/00211/09/FUL - Demolition of stable block and construction of proposed manege with associated fencing
REF - 15th April 2009

4/01575/08/FUL - Extension to stable block and new manege
REF - 16th September 2008

4/01982/07/FUL - Additional stable building and manege
REF - 9th November 2007

4/00202/07/FUL - Change of use from agricultural land to grazing for horses
REF - 21st March 2007

4/02031/05/DRC - Details of materials required by condition 2 of planning permission 4/01447/05 (use of land for equestrian purposes and construction of two stables, tack room and hay barn)
GRA - 15th November 2005

4/01447/05/FUL - Use of land for equestrian purposes and construction of two stables, tack room and hay barn
GRA - 2nd September 2005

4/00784/04/FUL - Agricultural storage building
WDN - 27th May 2004

4/00965/94/RES - Submission of external materials pursuant to cond 2 of p/p 4/o270/94 (conservatory and garage)
GRA - 29th July 1994

4/00907/93/RES - Submission of details of hard & soft landscaping pursuant conds.3 & 4 of p/p 4/0895/92(conversion of farm building to dwelling)
GRA - 20th July 1993

4/00906/93/RES - Submission of details of hard & soft landscaping pursuant conds. 3 & 4 of p/p 4/1104/92(conversion of barn to two residential units)
GRA - 20th July 1993

4/00895/92/FUL - Conversion of farm buildings to dwellings (revised scheme)
GRA - 1st October 1992

4/00520/92/FUL - Change of use of land to residential gardens
REF - 16th July 1992

4/00793/91/FUL - Conversion of agricultural buildings to five dwellings
GRA - 18th October 1991

Appeals (If Any):

4/00211/09/FUL - Development Appeal
- 25th September 2009

4/01575/08/FUL - Development Appeal
- 21st May 2009

CONSTRAINTS

Parking Accessibility Zone (DBLP): 4
Special Control for Advertisements: Advert Spec Contr
Area of Archaeological Significance: 31
Area of Outstanding Natural Beauty: CAONB outside Dacorum
Article 4 Directions: LAND ADJ CHURCH ROAD & R/O NETTLEDEN ROAD LITTLE GADDESSEN
Article 4 Directions: Land to the South East of Church Road Little Gaddesden
CIL Zone: CIL1
Conservation Area: LITTLE GADDESSEN
Former Land Use (Risk Zone):
Parish: Little Gaddesden CP
RAF Halton and Chenies Zone: Red (10.7m)
Rural Area: Policy: CS7
EA Source Protection Zone: 3
Trees of whatever species

REPRESENTATIONS

Consultation responses

These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

These are reproduced in full at Appendix B.

PLANNING POLICIES

Main Documents:

National Planning Policy Framework (February 2019)
Dacorum Borough Core Strategy 2006-2031 (adopted September 2013)
Dacorum Borough Local Plan 1999-2011 (adopted April 2004)

Relevant Policies:

NP1 - Supporting Development
CS1 - Distribution of Development
CS7 – Rural Area
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS24 – Chilterns Area of Outstanding Natural Beauty
CS27 – Quality of Historic Environment
CS29 - Sustainable Design and Construction

Supplementary Planning Guidance/Documents:

Accessibility Zones for the Application of Car Parking Standards (2002)

Planning Obligations (2011)

Roads in Hertfordshire, Highway Design Guide 3rd Edition (2011)

Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice (2011)

CONSIDERATIONS

Main Issues

This land is in an extremely sensitive location. It is within the Chilterns Area of Outstanding Natural Beauty (AONB) and the Rural Area. The Council has served an Article 4 Direction on the land. This Article 4 Direction covers the narrow rectangular field parallel to Church Road, a small, broadly triangular piece of land opposite St Peter's and St Paul's Church (the application site), and two larger fields to the south. The article 4 covers the application site in its entirety.

The Article 4 Direction removes permitted development rights for (in brief) means of enclosures, new accesses into the field off Church Road and temporary uses of the land.

The replacement and additional fencing proposed, as well as the vehicular access (gate) all now require formal planning permission.

The key considerations in this case are whether the proposed development is appropriate in the Rural Area, and the impact on the surrounding Conservation Area and Chilterns Area of Outstanding Natural Beauty.

The principle of development

The application site is located within the designated Rural Area, which lies beyond the Metropolitan Green Belt. Whilst its role is different from the Green Belt, the pressures it faces are comparable and in order to retain its open character, development must be controlled in a similar way.

Core Strategy Policy CS7 states that within the Rural Area certain uses are acceptable; agriculture being one of these and that small-scale development for those purposes will be permitted provided it has no significant impact on the character and appearance of the countryside.

The site comprises undeveloped agricultural land which is partially enclosed with post and wire fencing. The proposal seeks consent to replace the existing fencing, erect additional fencing and introduce a vehicular access. The land is to be retained in agricultural use.

The development is small scale and is thus acceptable in principle subject to a detailed assessment of its impact.

Design and impact on the Listed Building and Conservation Area

The site resides within Little Gaddesden Conservation Area and in very close proximity to the Church of St Peter and St Paul, which is a Grade I Listed Building. Plot 17 is located directly across the road and within 20m of the church. A right of way linking the church to the village runs through the application site.

Impact on Listed Building

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special regard should be given to the desirability of preserving a listed building and its setting.

Whilst no objection is raised to replacement fencing, it is concluded that additional fencing in this location and the introduction of a vehicular access immediately in front of the church would harm the setting of a designated heritage asset of the highest significance (Grade I Listed Building). The defining characteristic of the setting of the listed building is the open aspect from the village at the south (school and dwellings) all the way to the church. Any further subdivision of the area and the introduction of the vehicular access to a point directly in front of the church would harm the historic character and openness of the fields which lead both physically and visually to the church. There is no reason the existing, historic field pattern and access point cannot be maintained.

Paragraphs 195 and 196 of the NPPF state that where a proposed development will lead to harm to a designated heritage asset (listed buildings), local planning authorities should refuse consent, unless it can be demonstrated that the harm is outweighed by public benefits.

There are insufficient public benefits to this proposal to outweigh the identified harm to the setting of the Grade I church.

Impact on Little Gaddesden Conservation Area

The Conservation Area designation adds another level of control. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas.

The site is an important open, undeveloped space within Little Gaddesden Village and Conservation Area. It is considered that the proposal would fail to preserve or enhance the character of the area. An important open space within the area would be further enclosed, which would cause harm to the character of the conservation area.

Again Paragraphs 195 and 196 of the NPPF state that where a proposed development will lead to substantial harm to a designated heritage asset (conservation area), local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm is outweighed by substantial public benefits.

There are insufficient public benefits to this proposal to outweigh the identified harm to the open character of this part of the Little Gaddesden Conservation area.

Impact on Chilterns Area of Outstanding Natural Beauty (AONB)

The application site also lies within the Chiltern Area of Outstanding Natural Beauty (CAONB). Section 15, paragraph 172 of the National Planning Policy Framework requires 'great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection'. 'The scale and extent of development within these designated areas should be limited'. 'Planning permission should be refused other than exceptional circumstances and where it can be demonstrated that development is in the public interest'. Conservations of applications should include as assessment of the following;

- a) The need for the development and the impact or refusing it on the local economy
- b) The cost and scope for developing outside of the area, or meeting the need in some other way

- c) Any detrimental effect on the environment, the landscape, and recreational opportunities, and the extent to which that could be moderated'

Policy CS24; The Chilterns Area of Outstanding Natural Beauty states: the special qualities of the CAONB will be conserved.

Dacorum Landscape Character Assessment for the area states, 'the scale of the landscape elements creating a significant visual impact.... there are few visual detractors in the landscape'.

As stated This land is in an extremely sensitive location. The land is within the Chilterns Area of Outstanding Natural Beauty (AONB) and the Rural Area. The Council has served an Article 4 Direction on the land. This Article 4 Direction covers the narrow rectangular field parallel to Church Road, a small, broadly triangular piece of land opposite St Peter's and St Paul's Church, and two larger fields to the south.

The fields running parallel to Church Road from the playground car park to the church is a narrow, rectangular piece of land. It is partly separated from a small area of land at the very top of the site (the fence is not continuous). However, its open aspect all the way to the church is its defining characteristic. All parts of the land are criss-crossed by public rights of way.

The proposed fencing and vehicular access would not maintain the open characteristic of the land. The development would detract from views from the Chiltern Way public footpath, which is located within the site and links the church to the village.

The proposal is contrary to section 15 of the NPPF and Policy CS24 of the Core Strategy 2013.

Area of Archaeological Significance

The proposal is in Area of Archaeological Significance No 31, which contains significant archaeological remains of Roman and medieval date. Policy Cs27 and section 16 of the NPPF (set out above) require the conservation of heritage assets.

Given the nature of the proposal, the County Archaeologist is satisfied that that the development is unlikely to have a significant impact on heritage assets of archaeological interest and as such complies with Policy CS27 in this regard.

Impact on Residential Amenity

Given the site is located some distance from residential properties the proposals would no harm to residential amenity with regard to light, privacy or visual amenity. The proposal would comply with Policy CS12 in this regard.

Impact on Highway Safety and Parking

Notwithstanding the visual harm the additional vehicular access (gate) would cause as set out above, it would not harm the safety or operation of the adjacent highway network.

Other Material Planning Considerations

Impact on Trees and Landscaping

The proposal would not have an impact on the protected tree within the site. This tree has been the subject of a recent application to remove a lower limb.

Response to Neighbour Comments

Many concerns have been received from the local community but the matters and points raised have been dealt with above.

CONCLUSION

Policy CS7 of the Core Strategy permits small scale development for agricultural use provided there is no significant impact on the character and appearance of the countryside.

The proposal for additional and replacement fencing and the introduction of a new vehicular access immediately in front of the Grade I church would have a detrimental impact upon the character and appearance of this part of the Little Gaddesden Conservation Area and would cause harm to the setting of the Grade I Listed Church of St Peter and St Paul.

The site lies within the Chilterns Area of Outstanding Natural Beauty and is essentially a very open site that contributes positively to the surrounding countryside. This positive contribution is recognised by the serving of an article 4 direction. Any additional subdivision and erosion of the openness would cause harm to an area that is valued (and now protected) for its natural scenic beauty.

The introduction of additional built form (fencing and vehicular access) to this greenfield site would result in a number of negative impacts on the Rural Area, and additionally harm to heritage assets and the Chilterns AONB.

In accordance with the NPPF the less than substantial harm that would be caused to heritage assets (listed buildings and conservation area) is not outweighed by public benefits.

The proposal is contrary to local and national planning policy.

RECOMMENDATION

That planning permission/listed building consent/prior approval be ...

Case Officer Check List	Officer Check/Comments
Has the consultation letter/site notice/advert period expired?	Y
Was a site notice posted and if so, was the date entered into Uniform?	Y
Is the Article 35 Statement included?	Y
Is the CIL box ticked/un-ticked in Uniform?	Y
Are all plans, documents, site photographs and emails saved to DMS?	Y
If applicable, please give the reason why the application is overtime.	n/a
Does the application involve the demolition of any buildings that are currently in use?	N
Is there a Legal Agreement?	N
Has the Uniform Legal Agreement box been filled in?	N
Is a copy of the agreement on DMS (both redacted and non-redacted versions)? Has the agreement been published on the website?	n/a

Reason(s) for Refusal:

1. The proposals would harm the character, appearance, openness and natural beauty of the site, the setting of a Grade I Listed Building, this part of the Little Gaddesden Conservation area and the Chilterns Area of Outstanding Natural Beauty.

There are insufficient public benefits to outweigh the harm identified to the heritage assets (listed building and Conservation area) and the protected landscape (AONB).

The proposals are contrary to sections 15 and 16 of the NPPF and Policies CS12, CS24 and CS27 of the Core Strategy 2013

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 in seeking to amend the scheme however not all objections could be overcome. 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
Archaeology Unit (HCC)	The proposal is in Area of Archaeological Significance No 31, which contains significant archaeological remains of Roman and medieval date. In this instance, however, I consider that the development is unlikely to have a significant impact on heritage assets of archaeological interest. This is because the replacement fence and new hedge are to be placed on the line of the existing fence, and the works to re-locate of the access gate should be minor in nature. I therefore have no comment to make upon the proposal.
Conservation & Design (DBC)	<p>I don't have any issues with the replacement of the fence with wire with fencing the timber. However I would need to object to the proposal for the new fencing to the rear field as this is currently open. The enclosure would be detrimental to the character of the area. Also according to the plans it would block the public footpath as no gate was shown..... (Area north of 190 on map)</p> <p>If they want some form of security they could perhaps have a hedge/fence along the historic line between the trees but obviously with a gate to allow walkers to use the footpath</p>
Parish/Town Council	<p>Following the Parish Council meeting of the 3rd August 2020, Little Gaddesden Parish Council would like to make the following response:</p> <p>There are a number of inaccuracies in the application, as follows:</p>

- a) The footpath is drawn in the wrong place, as the path should line up directly with the entrance gates to the Church.
- b) There are no hedges on the perimeter of the land.
- c) The Land Registry shows that legal title to the land is vested in the Mead Trust and not Goldsmith Land as stated. This needs to be clarified.
- d) The address given for Goldsmith Land is not the registered address. This needs to be clarified.

Our understanding of the application is as follows:-

Asked for:

- 1. Replacement of existing fence.
- 2. Extension of existing fence - 53m section.
- 3. Extension of existing fence - 24m section on the southern boundary.
- 4. Extension of existing fence - 50m section on the western side between 53m & 24m.
- 5. Removal of existing access gates between plot 17 and plot 16 (plot 16 is the assumed name of adjacent plot away from the Church).
- 6. Movement of public footpath away from historic starting point at the Church gates, thereby replacing public access gates with fence. This gate has no vehicular access to the field.
- 7. Building new public pedestrian access gate at new location indicated. This gate is for pedestrian access for the proposed moved footpath. [This does not appear to be mentioned in the application or the plan but it must be implied because the proposed vehicular gate would not be a suitable footpath gate]
- 8. Building of vehicular access gate for access to the field directly on to the highway.

LGPC response

- 1. LGPC does not object to the repair of the existing fence in the same style as the existing fence. However, we would note that the existing fence is a mixture of post/wire and fence/rail. LGPC objects to the replacement of the fence/rail fencing with the inferior post/barbed wired fencing and for consistency all replacement fencing should be post and rail. This is to maintain the character of the setting adjacent to the curtilage of the Grade 1 listed Church. This applies to all fencing listed below.
- 2. LGPC objects to the extensions of the existing fencing (53m). LGPC wishes to maintain the openness of the fields as outlined in the Article 4 Direction on the land. Part of this line may have been previously fenced, but this was removed many years ago for open

access for grazing sheep on this and neighbouring land.

3. LGPC objects to this section of fencing (24m on the southern boundary) as it is a new piece of fence across open fields, contrary to the Article 4 on the land. The Article 4 was put in place to protect the Conservation Area and the AONB from unwanted visual and physical barriers on the otherwise open aspect of this historic grazing land.

4. LGPC objects to this extension of the existing fencing (50m section between 53m & 24m) as it is a new piece of fencing across open fields. The fences applied for in 3 and 4 would enclose historically open land, contrary to the Article 4 on the land. The Article 4 was put in place to protect the Conservation Area and the AONB from unwanted visual and physical barriers on the otherwise open aspect of this historic grazing land.

5. LGPC objects to the removal of the internal access gate ("Existing gate") between plot 17 and 16 as it provided the only access point from plot 17 to the highway via plot 16. The access point of plot 16 is adjacent to plot 17. LGPC views this proposed gate removal as deliberate deprivation of existing access to the highway. We can only speculate that this is to increase the likelihood of obtaining a separate highway access onto plot 17. We also note that both plots 16 and 17 are or have recently been owned by the same company, so an easement provision should have been simple. No justification has been put forward.

6. LGPC objects to the movement of the existing public footpath (incorrectly drawn) from the entrance gates of the Church to the location indicated. This is an historic (greater than 200 years) route to the Church from the village of Little Gaddesden. Any movement of the footpath would be a destruction of a significant part of the village's history. The existing line of the footpath provides an important viewing line to the impressive side of the Grade I listed Church as one approaches it. The movement of a footpath is not, in any event, a matter to be dealt with in a planning application. No justification, such as 'proposed development' has been given for its relocation.

7. LGPC objects to the implied building of a new public pedestrian access gate in the location indicated (required for the proposed move of the public footpath), for the reasons above in answer 6.

8. LGPC objects to the application for vehicular access to the highway as there is an historic and suitable access to the highway a

	<p>few metres away via plot 16 (discussed in point 5). Suitable easements could simply be put in place between the landowners of plot 16 and 17. In addition, we believe that this is a dangerous place for a vehicular access, as it is the primary access point to the Church. i.e. peak pedestrian access to the Church, a tight turning circle and an informal disabled parking point directly outside the Church. We also believe that the proposed access gate at the point indicated contravenes highways safety design criteria, as the road by the proposed gate is close to the sharp bend to the east of the Church and the road also becomes a private road before the sharp bend.</p>
Campaign To Protect Rural England	<p>As you will be aware, recently the Grade 3 arable land to the south-east of Church Road was subdivided and marketed as a series of 34 small plots in the Chilterns Area of Outstanding Natural Beauty (some of which are still being advertised for sale). Earlier this year we had occasion to write to the Council regarding an attempt to build a dwelling and garage on Plot 7 (20/00176/FUL). That application was subsequently withdrawn. Consequently CPRE Hertfordshire have concerns regarding this application for work to Plot 17.</p> <p>There appear to be some inconsistencies in the documents accompanying the application.</p> <p>Firstly, there is no hedging whatsoever around the perimeter of this plot. The entire eastern boundary is timber post and rail, which appears to be in good condition. The timber post and rail continues along the north boundary, until it meets the existing timber gate/stile opposite the entrance to St Peter and Paul church. There is some damage to the post and rail just before the gate/stile. The remainder of the northern boundary and the whole of the west and south boundaries are post and wire fencing, with a second timber gate/stile in the centre of the southern boundary. The vehicular entrance, via a metal gate, is on the north west side of the plot. There are varying degrees of dilapidation along the stretches of post and wire fencing. There is no need for planning approval for the repair of existing fencing, although replacement constitutes new development in which case replacement timber post and rail would be the most obvious choice for treatment. The use of barbed wire should be discouraged where possible and sends an unattractive message to walkers and members of the public about the site.</p>

Secondly, the line of Public Right of Way 016 is incorrectly drawn on the plans. It would appear that the applicant has taken the line from the HCC GIS map (which HCC point out is not exact) and not the Definitive Map and Listings which show that the path goes across the field from the front of the church. PROW 016 is quite clear on the ground, as the applicant must know. It runs directly from the

timber gate/stile in front of the church straight across the centre of the plot to the similar timber gate/stile on the southern boundary which gives access to the field beyond. The path across the plot is distinct and it is signposted with a finger sign next to the northern gate/stile.

The closure or diversion of a right of way can only be achieved by a proper legal process. This is normally done by a local authority making a public path order under Highways Act 1980 : section 119 (public path diversion order). Changes can only be made for one or other of the reasons provided for in the legislation, not through applications such as this. It must be advertised and anyone can object to the proposal. Unresolved objections are considered not by the Local Authority, but by an Inspector appointed by the Secretary of State for the Environment. Alternatively a PROW can be diverted under section 257 of the Town and Country Planning Act 1990 but only to enable development to take place, which is not stated to be the case here.

The Applicant gives no reason or justification for the diversion of PROW 016. The legislation requires that a plan showing the proposed diversion is prominently displayed at both ends of the part of a path affected by the proposal and that the plan must show, as a minimum, the effect on that path, and the proposed diversion must be advertised in local media. As far as we are aware this has not been done.

The current vehicular access to the site is by way of a metal gate on the western flank of the plot. The applicant intends to move this access to the northern flank, opposite the church. Again there is no explanation of the need for this.

Unfortunately, the impression is given that the diversion of the Public Right of Way and the relocation of the vehicular access are to facilitate future development of this plot. In that event we would

	<p>vigorously oppose any such development in the AONB.</p> <p>Given that Permitted Development Article 4 Directions apply on this site, the Council retains control over replacement fencing, and we would recommend that this be of a comparable timber post and rail. We see no public benefit to diverting the path which, like many, is historically aligned to the Parish Church entrance. The Council will have to satisfy itself of the justification for the moving of the vehicular access and that the correct processes will be observed for diversion of Public Right of Way 016 before determining this application</p>
--	--

APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
41	36	0	36	0

Neighbour Responses

Address	Comments
<p>Netherfield 5 Church Farm Barns Church Road Little Gaddesden Berkhamsted Hertfordshire HP4 1NZ</p>	<p>It is very clear the above application should not be considered as the land should only be used for agricultural purposes and there is no rationale for moving the path.</p> <p>The path has been there for decades and its quite clear from the facts presented by many people that the application is inaccurate, misleading and is made with the intention only of development.</p> <p>There is no credible reason in allowing this piece of land to be 'closed off'. This will directly impact the lands appearance immediately adjacent to the Grade 1 listed Church and adversely impact its AONB setting.</p> <p>This land should be retained as originally intended, being agricultural land, not land for housing development and should retain its continuous open field status. Making any changes are unnecessary and will change the layout, which has been accepted by all for decades.</p> <p>Visually I appreciate that the current path leads right to the church entrance. Its like this for a good reason I believe.</p> <p>Whilst I do not mind fencing being repaired, the position should not be changed. I am not happy about the land's owners advertising and the changes he is asking for will detract from the lands original intended purpose</p>

	<p>I hope you take these points into consideration along with other points which I know have been raised by other residents of Church Road</p> <p>Andrew & Astelle Jackman</p>
<p>The Old Granary 2 Church Farm Barns Church Road Little Gaddesden Berkhamsted Hertfordshire HP4 1NZ</p>	<p>Thank you for your notification re the Field opposite Little Gaddesden Church, Church Road , Little Gaddesden. HP41NZ.</p> <p>We wish to appeal against the application for the following reasons:</p> <ol style="list-style-type: none"> 1. We do not object to the replacement fencing along the road but it should not be topped with barbed wire as present as wire is a danger to wild life, particularly deer as they can, and have in the past, been caught on wire with unpleasant consequences. 2. We object to the rest of the fencing in the field as will enclose the area concerned and mean that the movement of animals both wild and domestic, mainly sheep will be inhibited and will restrict the on land access to grazing .on all the agricultural land which has been open and free for many decades. 3. As the land is at present agricultural internal fencing and lack of the ability of animals to roam would affect the ambiance of the Church which is Grade 1 Listed. 4. Moving the entrance to the public footpath away from the present site destroys the historic purpose of the path to allow direct route to go to the Church itself and not for other purposes. 5. We object to moving the route of the footpath as in '4' and in addition see no reason for it to be moved as it has existed for many decades a and as it crosses agricultural land any change would seem irrelevant unless there is an underlying reason for the change which is not patent in the application. <p>In general we object to the application as it is illogical on its own there are some other plans consequent upon it.not mentioned in the documents. If this be so it is not correct to view this application without the other plans which might effect it</p>
<p>Pilgrim Cottage Church Road Little Gaddesden Berkhamsted Hertfordshire HP4 1NZ</p>	<p>I note that this application seeks to divert a historic footpath to the side of a plot of land without offering any reason for so doing. I suggest therefore that you might assume that the applicant has a hidden agenda which may constitute a subsequent application to develop the plot. Although this its supposition, it is difficult to find any other reason to divert the footpath. I therefore wish to object to this application in the strongest possible terms. I believe that you have the necessary regulations to bar any new buildings adjacent to Church road being a single track road in an AONB and part of the village conservation area and in consequence will support my objection.</p> <p>There also seems to be no logical reason to relocate the gate and to add fencing although repairs to existing fencing should be acceptable.</p> <p>I have lived at the end of Church Road for a quarter of a century and</p>

	<p>have accepted the occasional loss of access from weddings, funerals, oil deliveries, etc. with equanimity. However I would find any increase in reduction of access in the future to be unacceptable. This would also affect services like mail and refuse collection.</p>
<p>Gable End Cottage Church Road Little Gaddesden Berkhamsted Hertfordshire HP4 1NZ</p>	<p>I would like to object to this application on the following grounds:</p> <ol style="list-style-type: none"> 1. The current footpath leads naturally to the entrance of the village church and the proposed re-routing would instead leave it ending on the bend in Church Road, a clearly far less favourable position. The existing footpath is shown incorrectly on the application plan which gives the impression that the proposed change is of less consequence than it really is. 2. The proposed new section of fencing impinges on the larger rectangular field to the southwest of plot 17. There is currently an article 4 directive in place which seeks to protect this agricultural land from exactly this sort of destructive partitioning. The application also references existing hedging together with the fencing. There is no existing hedging on any part of the current or proposed new boundary. New hedging would interrupt the views across the fields to the church and would be entirely out of keeping with the adjacent land. These views are protected in several ways - the Grade I church listing, falling within the village Conservation Area, and being part of an A.O.N.B. These proposals would create an awkwardly shaped, visually intrusive parcel of land that would be entirely out of keeping with its surroundings. 3. The proposed new gate is both poorly sited and entirely unnecessary. There is an existing metal gate (not shown on the application plan) a few yard from the proposed new gate which gives access to all the adjacent fields, including plot 17. It is sited in the most logical spot, where the road widens, and it seems bizarre to put a second gate next to it in a much less favourable position (where the road becomes much narrower). <p>In summary, I object to all aspects of the application: the new fencing/hedging, moving the footpath and the new gate. These are all measures that seek to separate this agricultural land from its surroundings and turn it into a plot for building development.</p>
<p>Field End Hudnall Lane Little Gaddesden Berkhamsted Hertfordshire HP4 1QE</p>	<p>The open nature of this land and its public rights of way, in particular the entrance to the right of way being directly opposite the Church, are central to the community. The rights of way across the land are well used. The sharp bend where a new entrance is proposed is a blind bend and presents a clear danger to pedestrians. The proposal seems to foreshadow some further agenda.</p>
<p>Church Meadow Church road Little Gaddesden HP4 1NZ</p>	<p>At a recent Parish council meeting the applicant for planning permission joined via zoom. It was quite clear that his strategy was to prepare for house building. The idea was aired that he needed the fencing for livestock which he currently does not have or has ever kept. Putting 'a pig' in the field without shelter will obviously lead to a request for animal housing and so the slippery slope begins. Presumably no members of the housing committee were born yesterday and so must be very well aware of what is going on here. The length of land between John o Gaddesden house and the Church</p>

	<p>have historically always been open. There has never been any building there. The heritage ancient footpath does not need to be moved. There are other areas where building could take place, this is clearly for self profit only. Sometimes in life what is morally acceptable to a local community needs to be placed above the £ signs of others</p>
<p>St Johns Vicarage Pipers Hill Great Gaddesden Hemel Hempstead Hertfordshire HP1 3BY</p>	<p>As Vicar of Little Gaddesden, I wish to register my grave concern about this proposal on behalf of the church.</p> <p>I see this plan as the thin end of the wedge in terms of the development of the land.</p> <p>First and foremost, it is an outstandingly beautiful area and any attempt to develop it will undoubtedly spoil the area for everyone. Access on Church Road is difficult at times and any sort of development which increases traffic would be unworkable.</p> <p>As it stands, the land is used appropriately for the area, ie by farmers and walkers. All of this will be ultimately lost if this is allowed to proceed.</p> <p>I urge most strongly, those who make the decision on this matter, to resist the whole notion of changing the land and its' use in any way.</p>
<p>Nettleden Grange Nettleden Road Nettleden Nettleden Hemel Hempstead Hertfordshire HP1 3DQ</p>	<p>I wish to object to this planning application. I am resident in a neighbouring village but visit Little Gaddesden very frequently to walk the public right of way network around the village.</p> <p>The land to the south-east of Church Road has been subdivided and marketed as 34 small plots in the Chilterns Area of Outstanding Natural Beauty (some of which are still being advertised for sale). I objected to the application earlier this year in respect of a proposed dwelling and garage on Plot 7 (20/00176/FUL). That application was subsequently withdrawn.</p> <p>This application states that there is already some hedging around the plot (Plot 17) but there is none.</p> <p>The line of Public Right of Way (PROW) 016 is incorrectly drawn on the application plan. The correct route runs directly from the access gate from Church Road, opposite the gate to the churchyard leading to the church door, right across the centre of the plot. This would appear to reflect the historic use of this path connecting the church to its surrounding parish.</p> <p>This application is not the correct procedure for the diversion of a public right of way. The Applicant gives no reason or justification for the diversion of PROW 016. The legislation requires that a plan showing the proposed diversion is prominently displayed at both ends of the part of a path affected by the proposal. I walk this route frequently and have not seen any such notices.</p> <p>The current vehicular access to the site is via a metal gate on the western boundary of the plot. The applicant proposes to move this access to the northern boundary, opposite the church and close to the entrance to the churchyard. There is no explanation of the need for this and I would argue that in the proposed revised position it could when in use impact on access to the church.</p>

	<p>The diversion of the Public Right of Way and relocation of the vehicular access might be taken to be in preparation for future development of this plot. I would vigorously oppose any such development in the AONB.</p> <p>As Permitted Development Article 4 Directions apply on this site, so that the Council retains control over replacement fencing, I would hope that any replacement fencing would be in keeping with that nearby, and without barbed wire if possible.</p> <p>In addition I would suggest that no new fencing or other means of enclosure on this plot is allowed. This would separate the land enclosed from the adjacent area which is currently sheep grazing and gives a unity to the whole area.</p> <p>For the reasons set out above I suggest that there is no option but to reject this application.</p>
<p>49 Nettleden Road North</p> <p>Little Gaddesden Berkhamsted Hertfordshire HP4 1PL</p>	<p>I strongly object to this application, which appears to be part of a long term attempt to develop this agricultural land, which must be strongly resisted. I objected to the application for 34 plots, etc, earlier this year, part of the same ongoing attempts.</p> <p>Is the application valid as I can see no orange notices displayed, which results in few people being aware and, I submit, limits the objections.</p> <p>There is absolutely no need to move the existing historic public footpath to the church and no need for an exit on to the road, a further attempt to gain access to a public road to assist the aims of the developer. No credible reasons are given to move either the path or the gate. All this is contrary to the local plan in the Little Gaddesden Conservation Area and Area of Outstanding Natural Beauty.</p>
<p>Blue Cottage Ringshall Road Ringshall Berkhamsted</p> <p>Hertfordshire HP4 1ND</p>	<p>I don't believe this is in accordance with local plan and Contrary to Article 4 Direction on the land.</p> <p>Im against the movement of an existing and well used public footpath and if any new fencing and obstructions to the general feel and potential change of views to the Church.</p> <p>This application bears all the hallmarks of an early attempt by the applicant to develop this land in the future</p> <p>This application is contrary to the Article 4 Direction on the land which was put in place to protect the Little Gaddesden Conservation Area and the Area of Outstanding Natural Beauty in which it is situated.</p> <p>'...Repair and replacement of existing fencing should be observed ...discreet and unobtrusive . The movement of the existing public footpath (which does not appear to be correctly shown on the application) is a material issue which would adversely impact the viewing line to the church. Overall any new fencing should be refused on the grounds that this land has benefited from open access for</p>

	<p>grazing sheep for many years and would simply create an unwarranted visual and physical barrier on an otherwise open aspect of this historic grazing land.</p> <p>For these and other more detailed reasons set out in other objections to the application, the application should be categorically refused, save for the remedial fence work noted above.'</p>
<p>20 Nettleden Road North</p> <p>Little Gaddesden Berkhamsted Hertfordshire HP4 1PA</p>	<p>1) The land is as whole in an area of Outstanding Natural Beauty with the Church Road frontage land being within the Little Gaddesden Conservation Area(the rear section of land the subject of this application having an agricultural use).The Church is Grade I and any development will potentially have a visually detrimental impact from the view along Church Road from the Village and from the Church</p> <p>2) The site in area is limited and the proposed use of the land for cattle grazing will be only sufficient at the most to accommodate less than 1 animal (source National Farmers Union).The current use is agricultural and and patently the proposal given the unrealistic use of the land does not sit within this Use Class.</p> <p>3) Access to the site is via the plot adjoining (to the west) which in turn has access on to Church a fact that is easily recognizable from the site inspection .There given that the land currently forms part of the larger agricultural holding no justification for a new access on to Church Road as there are other satisfactory access points else where servicing that agricultural holding as a whole</p> <p>4) A large number of plots have been sold off both all along the Church Road frontage and the land to the rear .If a new access point is permitted it will create a precedent for the other plots .</p> <p>For the above reasons I strongly believe that this application should be refused.</p> <p>For the forgoing reasons I strongly believe that this application should be refused</p>
<p>4 Church Farm Barns Church Road Little Gaddesden HP4 1NZ</p>	<p>The consultation has been based on false information regarding the current and proposed locations of the access to the right of way. It is presented in a way that makes the supposed 'new' entrance (directly opposite the Church) look a more attractive option. A person looking at the application might well think they like this idea and therefore not object to the moving of the entrance there. As a result, they would not object on the basis of incorrect information.</p> <p>In fact, the proposed and new entrance are the opposite of what is intended. This makes the application materially inaccurate and therefore undermines the consultation process. The Council therefore cannot rely on the results of the consultation. Any decision based on such a flawed process must be susceptible to appeal and/or judicial review.</p>

	<p>The proposal should also be rejected on the basis that the current siting of the actual entrance is far more appropriate as it leads (as it has done for decades) to the entrance of the church. It is far more amenable than walking round the edge of the field, and there is no clear information as to how the new entrance would be accessed.</p> <p>If the owner wishes to mend the fence sympathetically then we have no objection, but we suspect this is not the main interest in the application. Long established rights of way should not be arbitrarily moved to further the commercial interests of people wishing to develop protected land. However, if what the owner says is true, then there is no loss of amenity to the current owner in retaining the right of way in its current location, but there is for existing users of the right of way. The balance therefore clearly favours the status quo.</p> <p>For all these reasons the application should be rejected.</p>
<p>Morels 4 Nettleden Road Little Gaddesden Berkhamsted Hertfordshire HP4 1PP</p>	<p>I strongly object to this application, and agree with many other villagers that this is clearly a longer term strategy to develop the land on Church road. This should be strongly resisted and indeed further protected once and for all, to prevent further applications that will form the thin end of the wedge.</p> <p>I cannot see any justification to move the existing historic public footpath structure , and also any attempt to gain access the public road, surely this is a clear indication of the underlying motives. If there is no development plan application , there is no justification to change the ROW.</p> <p>It would appear the proposals are contrary to the local plan, and could have a long term detrimental impact to the Conservation Area and Area of Outstanding Natural Beauty, and indeed impact the many local users of the existing ROW.</p>
<p>Windyridge Hudnall Lane Little Gaddesden Berkhamsted Hertfordshire HP4 1QE</p>	<p>My principal concern is the parcelling of the land with the possibility, should a separate access be granted, that a subsequent application may be made for development.</p> <p>The current access to the area is perfectly suitable for agricultural purposes and a new access on Church Road is not required. There is no suitable position for access to plot 17 from Church Road and the one proposed is in a dangerous position on a corner of a very narrow road.</p> <p>Further there is no need to realign the right of way if the land is used for agricultural purposes</p> <p>Other Points:</p> <p>On the plot dimension drawing the 50m x 24m element separates off an element from a much large field in a manner which would limit agricultural use</p> <p>The current position of the right of way is incorrect. It is to the east of the entrance to the Church. No scale is given on the drawing</p> <p>The summary of the proposals assumes that the fencing already encompasses the site and the majority is post and rail. This is not</p>

	<p>correct.</p> <p>The amended drawing shows the fence outside the site boundary to Church Road.</p> <p>One would wish to see these plans overlaid on proper plans stored by the Land registry.</p> <p>The address Given for Goldsmith Land on the Application form is not the company registered address (11815272)</p> <p>If it were possible to prohibit any further development of the land (horse accommodation residential property etc by granting this application I would be content</p>
<p>Ostlers Nettleden Road North Little Gaddesden Berkhamsted Hertfordshire HP4 1PH</p>	<p>This is an area of ONB. This is a game the developer is playing and once any change is allowed more will follow.</p>
<p>Barn Cottage Nettleden Road Little Gaddesden Berkhamsted Hertfordshire HP4 1PH</p>	<p>1) Not in accordance with local plan 2) Contrary to Article 4 Direction on the land 3) Unwarranted movement of existing public footpath</p> <p>This application bears all the hallmarks of an early attempt by the applicant to develop this land, on whatever time frame. Its objectives are unwarranted and it should be refused.</p> <p>Much of the application concerns the extension of existing fences, the removal of existing access gates and their repositioning, the moving of a public footpath and revised vehicular access. All of this is contrary to the Article 4 Direction on the land which was put in place to protect the Little Gaddesden Conservation Area and the Area of Outstanding Natural Beauty in which it is situated. If the applicant wishes to replace existing fencing there will be no objection provided the same style is adopted.</p> <p>The movement of the existing public footpath (which does not appear to be correctly shown on the application) is a material issue which would adversely impact the viewing line to the church. Overall any new fencing should be refused on the grounds that this land has benefited from open access for grazing sheep for many years and would simply create an unwarranted visual and physical barrier on an otherwise open aspect of this historic grazing land.</p> <p>For these and other more detailed reasons set out in other objections to the application, the application should be categorically refused, save for the remedial fence work noted above.</p>
<p>The Summer House Nettleden Road North Little Gaddesden Berkhamsted Hertfordshire HP4 1PH</p>	<p>We believe the integrity of agricultural land should be kept sacrosanct. These fields and footpaths are well used, of historical value and enable many people to appreciate the beautiful countryside around the Grade 1 listed Church and adversely impact its AONB setting within the heart of Little Gaddesden.</p> <p>It seems obvious that this application should not even be considered - this land should only be used for agricultural purposes and there</p>

	<p>appears to be no logical rationale for moving the footpath. I am also concerned that much of the information on the application is incorrect and misleading, with the long term plan clearly to develop the plot.</p> <p>As a Community we must ensure we protect valuable spaces like this, the whole area is up for sale and advertised as 'perfect for development' - this is the tip of the iceberg and we really hope all applications of this sort can be stopped.</p>
<p>4 Ashridge Cottages Nettleden Road Little Gaddesden Berkhamsted Hertfordshire HP4 1PW</p>	<p>This proposed development is at the heart of one of the most beautiful views in the county. This is a conservation area, AONB, and accessed by many both residents and users of the Chiltern Way. It is of considerable concern that the applicants have allowed so many inaccuracies to be present in this request and, as pointed out by many other commentators, this leads to the conclusion that this shoddy application is about changing the use of this land in the long term rather than any improvement to the current purpose.</p> <p>I object to this application for the reasons given above and as it clearly an attempt to mislead and divert readers regarding the owners and intended plans for the land.</p>
<p>4 The Lye Little Gaddesden Berkhamsted Hertfordshire HP4 1UH</p>	<p>I object to this planning application for the following reasons:</p> <p>FENCING For many years Plot 17 has been incorporated with the adjoining land to the south west forming one large field fronting onto Church Road. It was used for grazing sheep and to take a hay crop. The applicant has stated that he intends to use the site to graze sheep and/or highland cattle. He must have acquired his interest in the land with full knowledge of the restrictions imposed by the Article 4 Direction that covers the application site and adjoining land. Exclusive Property Sales are selling a number of plots of land 'from 0.25 acre'. The photo they have used shows the field behind the Church Road plots. They say that these small plots might be used for animals, keeping chickens, growing your own vegetables or as 'garden extensions'. All of these uses would require fencing, access from Church Road and probably planning permission for change of use.</p> <p>GATE The planning applicant wants to gain access to the site by means of a new gate onto Church Road. The proposed new gate would open on to the narrowest part of Church Road in front of the church creating a tight turning circle and impinge on an on-road parking space often used by disabled visitors.</p> <p>FOOTPATH The planning applicant wishes to divert a section of the public footpath running from the village green through the fields to the Church entrance. This is an established footpath used by many walkers and should not be touched.</p> <p>POSSIBLE FUTURE PLANS It is possible that these plots, being sold way above the normal cost of agricultural land, could be subject to further planning applications for development such as housing. This would be very harmful to this beautiful part of the village and should be rejected if they materialise.</p>

<p>Church Farm Church Road Little Gaddesden Berkhamsted Hertfordshire HP4 1NZ</p>	<p>Response to planning application 20/01927/FUL</p> <p>We are owners of the land which boundaries the land subject to this application.</p> <p>Our response to the application is as follows:</p> <ol style="list-style-type: none"> 1. We do not object to the repair of the existing fence. However we do object to the use of poor quality wire mesh and barbed wire. Barbed wire is dangerous to animals and people. All replacement fencing should be post and rail. 2. We object to the extension of the existing fencing as this would impede the natural openness of this field which has been a feature of this landscape for at least the past 15 years. This may have previously been fenced, but no fence has been there for at least the past 15 years since we have lived here. 3. We object to all new pieces of fencing as they would comprise a subdivision of historic grazing fields and would impair the visual beauty of the fields and Grade 1 listed church. 4. We object to the movement of the existing public footpath which opens onto the road opposite the entrance gates of the church to the location indicated. This is a historic route to the church and there appears to be no justification for its relocation other than the desire to develop this site. 5. We object to the application for new vehicular access to the highway opposite the church. We believe that this is a dangerous place for such access as it is near a tight blind corner and the road is very narrow here.
<p>Golden Valley Cottage</p> <p>Nettleden Road Little Gaddesden Berkhamsted Hertfordshire HP4 1PP</p>	<p>As Churchwarden of the parish church of St Peter and St Paul, Little Gaddesden, I am writing to record my objections to the proposals stated in the planning application ref: 20/01927/FUL regarding plot 17 Church Road, Little Gaddesden.</p> <p>Access Gate</p> <p>I object to the proposed position of the gate onto the road for three reasons:</p> <ol style="list-style-type: none"> 1. Because it is on a blind bend and would present a danger to anyone coming up the road towards the church. 2. The narrow width of the road allows only a limited turning circle. The user of the gate into the adjoining field often has to request that cars parked by the church wall be moved to allow sufficient turning space, so an additional access gate would be a considerable nuisance. This part of the road is very busy when there is a wedding or a funeral in the church. Cars stop in the road outside the church gates for a while and the special vehicles have to be accommodated in this area while the service is being held. There is an existing gate marked on the applicant's plan which gives access to the adjoining field. This would allow an indirect access to the road which could be achieved by the applicant obtaining a legal right of access from the

adjoining land.

The land in question is part of the larger piece of land running up the south-eastern side of Church Road, Little Gaddesden, leading to the parish church from the Nettleden Road. This road is single track for most of its length, and is over-used already. Traffic is frequently held up while deliveries are made to the existing properties opening off the road because the road is not wide enough for vehicles to turn into the driveways. This is especially true for oil deliveries and rubbish collections. The lower section of the road opening into the Nettleden Road is especially dangerous. It is frequently blocked by traffic generated by the school and pre-school on weekdays and by the sports' clubs, particularly at the weekend. There is also traffic generated by users of the village hall, the bowls and croquet club, and the church, not only on Sundays but also when there are funerals and weddings. In all there are at present over 40 households which use this road. Cars can be backed up onto the main Nettleden Road, causing great hazard, and there is danger to the children and their parents walking to and from school and pre-school, and the sport's field. Added to this is the use of the road by the children when walking up to the church, which they do quite often, many other villagers and visitors who also enjoy walking up the road as well as frequent horse riders and a gentleman in a mobility scooter who traverses the length of the road twice daily. Cars have to give way to all these users, making the use of the road very hazardous. Any further access onto the road will add to this difficulty and danger and should be strongly resisted. It should also be noted that there are 16 other plots of land that have been offered for sale up Church Road, and if this application were granted it would cause an unacceptable precedent should the others also seek permission for access.

Fencing.

There is evidence of a previous fence on the south-western boundary with plot 16 so it is unreasonable to object to that being restored to its previous state. However, the area of land extending to the south-east, into the adjoining field at the rear of the field alongside Church Road is part of that open landscape which is part of the Chiltern AONB to which this land is subject and is covered by an Article 4 Direction and to which a fence would cause great harm. There is an important view of the church from this direction and fencing would cause harm to this. Also, it is separated from the front portion of the land by an existing boundary flanked by two mature trees, protected with TPOs, which would be breached if the two areas of land were joined. This area of land is too small to be of any viable agricultural use so the intention for it's ultimate use is questionable.

Footpath

The footpath which runs across the site is a public right of way and is shown on Ordinance Survey and other local footpath maps. It is part of a network of historically established paths which is very well used not only by local people but also many walkers and ramblers who come to the area to walk them. I think that any application to alter the route is subject to a legal ruling. There is no reason why the route (wrongly shown on the application document) should be altered unless it is to allow this area of land to be cleared so that it can be

	<p>used for development at a later date. Any attempt to do that would be extremely controversial and strongly resisted.</p>
<p>Marian Lodge Nettleden Road North Little Gaddesden Berkhamsted Hertfordshire HP4 1PH</p>	<p>I would like to object to the planning application as follows:</p> <p>This area is part of the AONB and therefore is highly protected from any sort of development and unnecessary change. This land is opposite the Grade 1 Listed Church and provides a unique vista towards said building from across the fields. Any form of fencing (or indeed hedging) would provide a visual intrusion to this view.</p> <p>The moving of both the pedestrian and vehicular access gates to a more restrictive area in the road is dangerous to both users. It seems totally unnecessary to move the footpath from its present course as it is an historic route to the church. This land has been used for grazing for many years and the footpath has not interfered with that at all, so there is no reason to move it now. The pedestrian gate design implied in the application is in no way in keeping with other kissing gates in the area. There seems to be no indication of what the vehicular gate will look like (though it implies in the application that there is an illustration available).</p> <p>The fencing in of the additional 50m x 24m at the rear of the plot is totally out of keeping and has never been fenced before. This contravenes the Article 4 provision placed on this field and would seriously impair the open aspect of the existing landscape.</p>
<p>29 Ringshall Road Ringshall Berkhamsted Hertfordshire HP4 1ND</p>	<p>This application is notable by the omission of relevant information as much as the provision of it.</p> <p>As far as I can see the diagrams are not to scale, do not represent an accurate picture of the area in question and crucially do not give adequate or logical reasons for some of the proposed works. The inescapable conclusion therefore, is that there is a hidden agenda that the applicant does not wish to reveal at this stage.</p> <p>Notwithstanding the above, I object to the fencing of land which is currently unfenced. This would impinge on the use of the land for agricultural purposes, and would significantly detract from the imposing and historic view of our Grade 1 listed Church that one gets when using the public footpaths across the open land.</p> <p>I object in principle to any attempt to move public footpaths, and can see no reason (other than for future, unspecified and unwanted commercial development) why the path needs to be moved.</p> <p>I object to the idea of providing vehicular access to the land and can see no reason why such a move might be considered necessary.</p> <p>I object to the idea of providing a new public pedestrian access gate. The applicant has not given a cogent argument for the need for such a gate.</p> <p>It seems that from a lay point of view, this application is centred on the desire to achieve a hard boundary, with both private pedestrian and vehicular access to a plot of agricultural land that sits right in front of a major historical and community place of worship, in the middle of an Area of Outstanding Natural Beauty. The applicant was presumably in possession of the facts surrounding this parcel of land at the time of purchase; it seems clear that this is a speculative application designed to pre-empt future development proposals. It is therefore</p>

	<p>disingenuous, inaccurate, lacking in detail and is contrary to my understanding of both the spirit and substance of the Planning process.</p>
<p>34 Ringshall Road Ringshall Berkhamsted Hertfordshire HP4 1ND</p>	<p>We strongly object to any alterations to this plot. We believe that not only is it contrary to Article 4 Direction on the land, but it is also not in keeping with the local plan.</p> <p>The proposal to change the fencing, or erecting hedging, will provide considerable visual disturbance - particularly to those visiting or congregating in the church - which has previously enjoyed an unspoilt landscape - something which visitors will often comment makes it so individual and special.</p> <p>We regularly walk the footpath with our dog, and would strongly object to any alteration of it.</p> <p>It seems incredibly obvious that the amendments that the proposer is hoping to make, are the first steps in attempting to develop the land for buildings - which would be objected vehemently within the local community and village inhabitants.</p>
<p>4 Church Farm Barns Church Road Little Gaddesden HP41NZ</p>	<p>1. Application to move the access gate to the right of way (ROW) is inaccurate. The application shows the 'current' access gate being in the neighbouring field. There would be no access from this gate to Church Rd or to the ROW. The actual current gate is directly opposite the church's main entrance gate and leads directly to the ROW.</p> <p>2. Application to allow vehicular access There is no current vehicular access to the ROW. The ROW is pedestrian only.</p> <p>3. Application to move the ROW I believe the application to move the existing ROW is to facilitate a potential building plot. Maximising any garden space and / or preventing walkers from roaming through a garden. If there are no plans to develop the land, then I see no reason to move the ROW.</p> <p>4. Application to reinstate fencing. The application implies existing fencing where there is none. For example, there is no existing fencing around the rectangular spur portion of the plot behind Church Farm's land. This would be enlarging the potential plot by including and enclosing an area from the field behind.</p> <p>5. Application to instate fencing and hedging. Fencing and hedging will disturb the views over what has been pasture / hay fields.</p> <p>6. Failure of the application drawing to show the existing ancient field boundaries of trees and hedging. There is no mention in the application if the existing ancient native trees and hedging will be kept and maintained. The parish council has</p>

	<p>recently been involved in replanting the oaks. And ignores the enlarging of the plot by including part of the neighbouring field - which is currently divided by mature trees and hedging.</p> <p>7. Consideration of wider planning implications. I believe DBC should take into consideration the wider implications of allowing this application.</p> <p>a. Recently the 3 fields bordering Church Rd and the bowling green have been marketed for housing development. I believe this application is part of a wider strategy to improve the planning prospects of individual plots to house builders. By moving the existing ROW and enclosing a plot, it then becomes easier to either sell on to a developer or apply for planning themselves. This may then pave the way for the enclosure of other potential plots and their subsequent development.</p> <p>b. If other plots obtain permission for enclosure, then the routes of the existing ROWs over the fields are in danger of being moved and enclosed by fencing / hedging. Thereby the nature and views of the walks would be permanently changed and lost.</p> <p>8. Loss of local amenity If the ROW is moved and hedging planted, this then removes the current views walkers enjoy from the ROW and church.</p> <p>9. Loss of environment / habitat. Currently and historically then land has been used as pasture and hay. Any future development of these fields would represent a loss of habitat for animal and plant life.</p>
<p>Pulridge House Nettleden Road Little Gaddesden Berkhamsted Hertfordshire HP4 1PN</p>	<p>There is no need to move the pathway, we use it regularly and the wildlife is beautiful & abundant. The views along that pathway are beautiful & unobstructed and it seems unnecessary to alter that.</p>
	<p>With reference to the above application, I object on the grounds that the planning request is not a suitable vehicle for changing the line of the Public Right of Way Little Gaddesden footpath 16. This should be done by means of an application for a Definitive Map Modification Order to divert the right of way.</p>
<p>9 Bridgewater Court Little Gaddesden Berkhamsted Hertfordshire HP4 1PX</p>	<p>I have no objection to the applicant replacing the current, existing fencing with new post and rail fence, matching the size and height of the existing post and rail fencing.</p> <p>However, I object strongly to other aspects of this application:</p> <p>1. The existing public footpath is a historically important route from the village to the church gate; it also affords excellent views of the Grade 1 Listed Church. It is incorrectly shown on the plan - indicating that the</p>

	<p>significance of its exact line has not been appreciated. If the land is to be grazed by livestock, then there is no need to consider moving the path. No explanation of the need to move the path has been given and a planning application is not the correct vehicle for applying to move an existing right of way.</p> <p>2. This land is within the Little Gaddesden Conservation Area and is subject to an Article 4 Direction to protect it as historically open grazing land. The additional fencing proposed would contravene the Article 4 Direction. Mention of a hedge in the application is incorrect.</p> <p>3. The proposed new gateway for vehicles leads onto a narrow section of Church Road between two sharp bends. This is neither safe for vehicle access nor is it necessary, as access to a wider and much safer point on Church Road already exists via the adjacent plot.</p>
<p>Wayside Nettleden Road Little Gaddesden Berkhamsted Hertfordshire HP4 1PP</p>	<ul style="list-style-type: none"> - Conflict with local plan - Inadequate access - Not enough info given on application <p>1) Not in accordance with local plan 2) Contrary to Article 4 Direction on the land 3) Unwarranted movement of existing public footpath</p> <p>This application bears all the hallmarks of an early attempt by the applicant to develop this land, on whatever time frame. Its objectives are unwarranted and it should be refused.</p> <p>Much of the application concerns the extension of existing fences, the removal of existing access gates and their repositioning, the moving of a public footpath and revised vehicular access. All of this is contrary to the Article 4 Direction on the land which was put in place to protect the Little Gaddesden Conservation Area and the Area of Outstanding Natural Beauty in which it is situated. If the applicant wishes to replace existing fencing there will be no objection provided the same style is adopted.</p> <p>The movement of the existing public footpath (which does not appear to be correctly shown on the application) is a material issue which would adversely impact the viewing line to the church. Overall any new fencing should be refused on the grounds that this land has benefited from open access for grazing sheep for many years and would simply create an unwarranted visual and physical barrier on an otherwise open aspect of this historic grazing land.</p> <p>For these and other more detailed reasons set out in other objections to the application, the application should be categorically refused, save for the remedial fence work noted above.</p>
<p>46 Nettleden Road North</p> <p>Little Gaddesden Berkhamsted Hertfordshire HP4 1PH</p>	<p>I wish to object to each element of this planning application.</p> <p>a. Fencing the application site</p> <p>For many years Plot 17 has been incorporated with the adjoining land to the south west forming one large field fronting onto Church Road. Until the land was sold to Goldsmith Land in 2019 it was used for grazing sheep and to take a hay crop.</p> <p>The applicant stated at a Parish Council meeting on 3 August that he intends to use the site to graze sheep and/or highland cattle. He must have acquired his interest in the land with full knowledge of the restrictions imposed by the Article 4 Direction that covers the</p>

application site and adjoining land.

At the time when the Article 4 Direction was made in November 2019 it was because the land it covers was being offered for sale in fourteen approx. 0.47 acre plots fronting onto Church Road, a 7.17 acre plot immediately to the rear of them and a 17.7 acre plot in the far south - a total of 16 individual plots. It was rightly considered that the physical subdivision of the land by the introducing of fencing would have severe detrimental impacts on the enjoyment of the rights of way crossing the land and of the surrounding open countryside within the Conservation Area and AONB.

Since that time the number of plots sold and/or offered for sale has increased greatly. Currently the vendor's agents Exclusive Property Sales and their auctioneers (Bernard Marcus Auctions) have, according to their websites and sales materials, sold/offered for sale a total of 17 plots fronting onto Church Road (Plots 1 to 17), a further 17 plots (of roughly 0.25 acre or less) immediately behind plots 1 to 17 (Plots A to Q). As the applicant seems to have acquired an interest in both Plots 17 and Q this would seem to confirm this pattern of sales. In addition a 17.7 acre plot 'with its own access to Church Road' was apparently sold in February prior to auction and subsequently sold as two lots (just over 8 acres each) prior to auction in March. This is confirmed on the Bernard Marcus website results page. According to sales material sent out by Exclusive Property Sales in December 2019 a further larger piece of land in the 7.17 acre field (behind plots L to Q) may also have been sold.

At the time of writing (10 August) Exclusive Property Sales are marketing on Rightmove an unspecified number of plots of land 'from 0.25 acre' - the location is not indicated but the photo used shows the field behind the Church Road plots. They suggest these small plots might be used for animals, keeping chickens, growing your own vegetables or as 'garden extensions' - all uses that would require fencing, access from Church Road and probably planning permission for change of use. In addition a further 0.43 acre piece of land 'adjacent to the existing car park' (suggesting this might form the means of access) is offered at a guide price of £50,000 with the following misleading statements: 'plans are being submitted for a number of garages' and 'planning is being sought for many new homes in the immediate vicinity'. This would appear to be land behind the car park and immediately adjacent to the children's play area on the village playing field.

This increase in the potential number of plots sold/offered for sale only emphasises the need for the Article 4 Direction to be maintained. Though it might be tempting to regard the current application as one off, it is clear that if the Article 4 Direction was overridden and planning permission granted a precedent would be created and the Planning Authority would be in a weaker position to resist other similar applications - which in this instance could be very many. I believe case law supports refusal on such grounds.

An unanswered question is: how are the purchasers of the back land plots going to access their land? There are vague indications on the vendor's agents' and auctioneers' publicly available sales material of an access road running at right angles to Church Road at the south west of the Article 4 site and then running parallel to Church Road behind Plots A to Q and having skirted the north eastern boundaries of the application site emerging onto Church Road in the north

eastern corner of the site where the road makes a sharp bend to go down to Church Farm, and Church Farm Barns. This seems to have been forgotten so far as the current application is concerned. A further access for the plots on the 17.7 field has also been suggested on some sales materials.

With regard to the current application: the repair/replacement of the existing fence along the Church Road boundaries to the same height as at present is acceptable; reinstating a boundary fence to the south west and south of Plot 17 is less acceptable. A fence has not been in situ for many years and the overall aspect and prospect of the church across the fields (and the view from the church) is greatly improved without this fencing. Wholly unacceptable is the proposed new fencing to incorporate Plot Q (a corner part of another field) into one enclosed piece of land with Plot 17. This would seriously impair the open aspect of the existing landscape that the Article 4 Direction is intended to protect.

The application refers to fencing '1.4 height' and '1400mm height (sic)'. It would appear therefore that the proposed fencing would be 1m 40cm high which is higher than the existing fencing and too high. The application also refers to planting hedges but it is unclear as to what exactly is proposed as currently there are none around the perimeter of the site. Hedges can easily grow far higher than the proposed fencing.

As mentioned the applicant has said he wants to use the land to graze animals, mentioning sheep and highland cattle. This is disingenuous or naive. The application is careless when it states the site is 0.15 hectare (0.37 acre). From the plans submitted the proposed total enclosed area would be in the region of two thirds of an acre. Sheep grazing is normally at a ratio of 6 to 10 sheep per acre but even a few sheep would rapidly exhaust the grazing on such a small site. Cattle require considerably more land (as a rough guide you can run one cow on an acre of land for about 80 days.) In my opinion the applicant's site is not large enough for the animal grazing he proposes which would be inconsistent with acceptable levels of animal welfare.

According to the Auctioneers' website most of the approx. 0.25 acre plots fronting onto Church Road have been sold at prices between £15,000 and £30,000 - this is considerably above the price for grazing land which is around £10,000 per acre. The slightly larger Plot 17 (0.36 acre) was advertised with a guide price of £75,000 and apparently sold prior to auction in June at an undisclosed price (although on Rightmove it is currently still offered for sale at that price by Exclusive Property Sales). These prices suggest to me that the long term aim for the application site is not agricultural/grazing use.

b. New Gate

The applicant also seeks to gain direct vehicular access to the site by means of a new gate onto Church Road. The proposed new gate would open on to the narrowest part of Church Road, on a bend, creating a tight turning circle and impinge on on-road parking spaces for disabled visitors to the church, funeral hearses etc. It is roughly a metre away from an existing gate onto the adjoining land (the only vehicular gate onto the Article 4 land) and so would also look rather odd. There is the risk of setting a precedent for the owners of all the other 16 plots fronting onto Church Road to seek similar access onto

	<p>their land, with the consequent increase in traffic onto this single track no through road. Access to the application site could be achieved via the existing gate onto the adjoining plot (Plot 16 to use the vendor's agent's plans) with the agreement the owner of that land and in conjunction with the existing gate (which the applicant seeks to remove) on one of the site boundaries.</p> <p>c. Footpath Diversion</p> <p>The application seeks to divert a section of the public footpath running from the village green through the fields to the Church entrance. I regularly use the path to visit the church. I understand that The Town and Country Planning Acts give local planning authorities discretion to divert footpaths if satisfied it is necessary to do so in order to enable development to be carried out in accordance with a planning permission that has been granted. I can see no reason why it is necessary to divert the footpath should this application for planning permission be granted. The land was used for grazing for many years prior to its sale in 2019 and the footpath did not interfere with that use and vice versa. In fact the only reason I can see for diverting the footpath would be to facilitate further development on the land in the future. There is a perfectly serviceable kissing gate in situ to provide pedestrian access to the footpath - the fencing on the Church Road boundary could be repaired/renewed to incorporate this gate.</p> <p>There are a number of inaccuracies and omissions in the application with regard to the footpath diversion:</p> <ol style="list-style-type: none"> 1. The route of the existing footpath is shown incorrectly - the starting point is inaccurate and it is shown running to the west of the Church gates whereas it actually ends up opposite the Church entrance gates. 2. No provision is shown for pedestrian access onto the diverted footpath from Church Road. On the plans submitted the diverted route ends up to the left of the proposed new gate into the field. It is usual to keep gates onto land grazed by animals padlocked to prevent animal theft and their being inadvertently left open. If it is envisaged that walkers should use the new gate would they be required to climb over it? 3. Similarly no provision is shown on the plans as to how walkers can access the application site on the south western boundary. At present there is a kissing gate on the line of the path but the submitted plans show the south western boundary being fenced along its entire length and enclosing the kissing gate about one metre within the fence line. 4. At the Parish Council meeting on 3 August the applicant indicated a desire to surface the diverted footpath in some way. This would be entirely out of keeping and would in itself require planning permission (which is not being sought in the current application). <p>I would urge the Planning Authority to reject this application in its entirety, but were it minded to grant permission for some or all of the fencing/gate work, I would urge it to impose a condition restricting the use of land to agricultural use only.</p>
36 Nettleden Road North Little Gaddesden	I became aware of this application on August 9, two days before the stated closing date for comments. As yet, no site notice has been displayed, which I believe is a requirement of the application process.

<p>Berkhamsted Hertfordshire HP4 1PF</p>	<p>Once this notice has been correctly displayed, I presume the closing date for comments will be rescheduled.</p> <p>I object to the application to move the footpath, which is a direct route to the church. The application states that the land is to be used for agricultural purposes only, and therefore I see no reason for re-routing the path.</p>
<p>Kinghams Meadow Hudnall Lane Little Gaddesden Berkhamsted Hertfordshire HP4 1QE</p>	<p>The proposal is in conflict with the local plan, and is contrary to Article 4 Direction on the land with regards to repositioning of access gates and extension of existing fencing.</p> <p>Also, the proposal moves an existing public footpath Which would adversely impact the viewing line to the church.</p> <p>The open aspect of the land should be retained</p>