

**5b 3/13/2036/FP – Demolition of existing rear extension and garage at Elmwood. Proposed single storey rear extension, link building and single storey side extension for plant room; modifications to dormer windows. Demolition of existing conservatory and part front entrance at Danetree House. Proposed single storey front, side and rear extensions, first floor rear extension with ground floor visitor accommodation and associated cafe. Relocated and extended staff car park (34 spaces), resurfacing, extension and marking of the car park at The Hoops Inn and remarking of the Longfield Car Park at Dane Tree House/Elmwood/The Hoops Inn/Longfield, Perry Green, Much Hadham, SG10 6EE for Trustees of the Henry Moore Foundation**

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**Date of Receipt:** 18.11.2014

**Type:** Full – Major

**Parish:** MUCH HADHAM

**Ward:** MUCH HADHAM

**RECOMMENDATION:**

That planning permission be **GRANTED** subject to the following conditions:

1. Three Year Time Limit (1T12)
2. Approved plans (2E10) – insert:- 78-A1023-Rev P1; 178-E-1021-RevP1; 178-E1022-RevP1; 178-A1020-RevP2; 178-A1021-RevP2; 178-A1022-RevP2; 178-A1024-RevP1; 178-A1025-RevP1; 178-E1020RevP1; 178-A1001-RevP5; 20114\_D100P6; 20114\_D110P4; 178-E1000-RevP2; 178-E1001-RevP1; 178-E1011-RevP1; 178-E1012-RevP1; 178-E1013-RevP1; 178-E1014-RevP1; 178-E1010-RevP1; 178-E1015-RevP1; 178-A1013-RevP5; 178-A1011-RevP3; 178-A1010-RevP5; 178-A1014-RevP4; 178-A1012-RevP3.
3. Materials of construction (2E11)
4. Construction hours of working - plant and machinery (6N07)
5. Prior to the commencement of any works associated with the development, a visibility splay of 2.4 metres (measured from the back edge of the carriageway) x 43 metres (measured along the nearside edge of the vehicle track) shall be provided in a northerly direction, and 2.4 metres (measured from the back edge of the carriageway) x 65 metres (measured along the nearside edge of the vehicle track) in a southerly direction where the existing access road leading to Dane Tree House meets the public highway. These splays shall be permanently maintained in each direction within which there shall be no obstruction

### 3/13/2036/FP

to visibility between 600mm and 2m above the carriageway level.

Reason: To provide adequate visibility for drivers entering or leaving the site in the interests of highway safety.

6. Prior to the commencement of any works associated with this development, a visibility splay of 2.4 metres (measured from the back edge of the carriageway) x 35 metres shall be provided in a northerly direction, and 2.4 metres (measured from the back edge of the carriageway) x 43 metres in a southerly direction, from The Hoops car park access. These splays shall be permanently maintained in each direction within which there shall be no obstruction to visibility between 600mm and 2m above the carriageway level.

Reason: To provide adequate visibility for drivers entering or leaving the site in the interests of highway safety.

7. Before the development hereby approved is first brought into use, all on site vehicular areas, including (but limited to) internal access roads, and external parking spaces, shall be accessible, surfaced, marked out and fully completed in accordance with drawing number 178-A1001-RevP5, unless otherwise agreed in writing by the Local Planning Authority. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: So as to ensure satisfactory parking of vehicles outside highway limits and to minimise danger, obstruction, and inconvenience to users of the highway and of the premises.

8. Before the development hereby approved is first brought into use, signage shall be installed within The Hoops car park in accordance with details that shall be submitted to and approved in writing by the local planning authority. The signage shall clearly signpost pedestrian access to the Henry Moore Foundation site along the access track to the rear of The Hoops public house and via the Longfield yard car park. The approved signage shall thereafter be retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: To provide appropriate pedestrian access for the Dane Tree House.

9. Construction Traffic Route (3V26)

### 3/13/2036/FP

10. Landscape design proposals (4P12)
11. Landscape works implementation (4P13)
12. Tree/hedge retention and protection (4P05)
13. Within 3 months of the first use of the approved extensions to Dane Tree House, the existing use of the building known as 'Chestnuts' for café and shop purposes shall cease.

Reason: In order to control any intensification of use and additional visitors to the site beyond that allowed for with the planning permission that has been granted.

14. Programme of archaeological work (2E02)

#### Directives:

1. Unsuspected contamination (33UC)
2. The applicant is advised that the development and the felling of trees should proceed with caution and should the presence of bats or other protected species be found works should cease and advice should be sought from a suitably qualified ecologist on how to proceed lawfully.

#### Summary of Reasons for Decision

East Herts Council has considered the applicant's proposal in a positive and proactive manner with regard to the policies of the Development Plan (Minerals Local Plan, Waste Core Strategy and Development Management Policies DPD 2012 and the 'saved' policies of the East Herts Local Plan Second Review April 2007; the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2012 (as amended). The balance of the considerations having regard to those policies and the benefits of the proposal in respect of supporting a rural tourist facility and the provision of employment, learning and leisure opportunities for local residents, is that permission should be granted.

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#### **1.0 Background:**

- 1.1 The application site is located within the Rural Area beyond the Green Belt within the settlement of Perry Green as shown on the attached OS extract.

### 3/13/2036/FP

- 1.2 The application site comprises of three parcels of land, all forming part of the Henry Moore Foundation (HMF). The HMF comprises a large area of agricultural land, woodland and a number of residential and other buildings which accommodate a museum, studio, gallery and storage spaces. These areas are open to visiting members of the public. The first parcel of land included within the application site is occupied by Dane Tree House, a building currently used for offices and meeting rooms in association with the HMF and Elmwood, a building used for the storage of the HMF's archives. The second parcel of land within the application site forms an existing car park located to the east of the highway that leads through Perry Green, this is known as the Longfield car park. The third part of the application site is the existing car park to the The Hoops Inn Public House.
- 1.3 Outside of the application site, but central to the HMF, is the Grade II\* Listed Building known as Hoglands which was Henry Moore's place of residence. The remainder of the HMF site comprises open gardens and woodland which is used to exhibit sculptures by the late Henry Moore.
- 1.4 The proposal seeks permission for the refurbishment and extension of the buildings known as Elmwood and Dane Tree House; the relocation and expansion of the existing staff car park within the woodland between Elmwood and Dane Tree House; an extension to and resurfacing of the existing car park at The Hoops Inn PH; and the reconfiguration of the Longfield Yard Store car park.
- 1.5 The extensions proposed to Elmwood comprise a single storey extension to the north west side of the existing building, a larger extension to the rear (south west) and a glazed link. The larger extension proposed to the rear of the building is of a contemporary design, with a mono-pitch roof reaching a height approximately 2.5 metres lower than the ridge of the existing building. It is proposed to clad the external walls and the roof of the extension with weathered steel panels. Other alterations proposed to the existing building include the demolition of an existing extension and garage building, which is subsiding; reductions to the dormer windows with the addition of pitched roofs; the replacement of existing concrete tiles with clay tiles; refurbishment of windows and repainting of the external walls.
- 1.6 Elmwood will continue to be used by the HMF for storage purposes for their archives. The applicant has carried out extensive surveys of the HMF's existing archive materials and have reduced the size of the proposed extension to the minimum size necessary to meet their storage needs. Additional roller shelving is proposed within the building

### 3/13/2036/FP

to optimise space. The storage will be compartmentalised to suit different environmental conditions, with space available for laying out materials to be acclimatised before moving items into areas with different environmental conditions. The resulting Elmwood building will provide storage space for the various archive materials of Henry Moore's work; office space for archive staff; space to enable the records to be digitalised, and a reading room for visitors carrying out research. The applicant's intention for the Elmwood building is to provide improved and safe facilities for their collection which meet the national standards for archives. Visitors to this building would continue to be limited to researchers who visit the site by appointment and who are accompanied by a member of staff.

- 1.7 Dane Tree House currently forms the administrative centre for the HMF. It accommodates the visitors' reception with office and archive areas. Single storey front, side and rear extensions, with a part 2 storey rear extension, are proposed to Dane Tree House. These extensions would accommodate space for a shop and café (allowing the existing facilities within The Chestnuts, which is adjacent to the Longfield car park, to be relocated) and an education/classroom.
- 1.8 The extensions would result in the demolition of the large conservatory to the rear of Dane Tree House. The proposed single storey rear extension would be of a reduced height to the existing conservatory, allowing 1<sup>st</sup> floor windows to be reinstated. The two storey element of the rear extension is of a contemporary design using external materials of timber and glass. The rear extensions would be situated behind the original Dane Tree House building and would therefore not be visible from the front of the site.
- 1.9 The Dane Tree House car park is proposed within the existing woodland area in-between Dane Tree House and Elmwood. This would form an extension to the existing 15 space car park to the north of Dane Tree House to create 34 spaces. It should be noted that the original plans submitted for a square-shaped car park have now been amended following advice received from the Council's Landscape Officer. Amended drawing number 178-A1001-RevP5 now proposes a curved car park design.
- 1.10 The existing Hoops Inn car park is proposed to be resurfaced and extended into the existing, un-surfaced, overflow car parking area to the south east.
- 1.11 The existing Longfield car park is proposed to be re-marked. As this work does not constitute a building or engineering operation and does

## **3/13/2036/FP**

not result in a material change of use, Officers consider that this part of the proposal does not require planning permission. Therefore, whilst this part of the proposal can be used to inform Members' decision in respect of other matters such as parking provision, the works proposed to this car park is not considered to form one of the material considerations of the proposal.

- 1.12 The applicant has explained within their supporting statements that the proposed developments are intended to improve, rather than expand, their existing facilities. They have stated that they do not anticipate an increase in visitors and vehicles but intend to manage and improve the visitor experience and reduce the impact that traffic and circulating traffic currently has upon the surrounding area.

### **2.0 Site History:**

- 2.1 The relevant planning history for the site is as follows:
- 2.2 In August 2013 permission was granted, under LPA reference 3/13/0922/FO, for a variation of condition to the permission granted for the use of the Aisled Barn and Dane Tree House for wedding ceremonies (LPA reference 3/11/1103/FP) to allow this use to continue until September 2014.
- 2.3 Planning permission was granted, for a temporary period of two years, for the use of the Aisled Barn to a mixed use comprising of D1 Art Gallery and wedding ceremony/reception (sui generis) use and the change of use of the conservatory in Dane Tree House comprising of B1 Office and wedding ceremony/reception (sui generis) use in September 2011 under LPA reference 3/11/1103/FP.
- 2.4 In 2009 planning permission was granted for the demolition of existing storage buildings and workshop on land adjacent to Chestnuts and the erection of new storage facilities with associated landscaping, parking and turning areas (ref: 3/09/0928/FP).
- 2.5 In 2000 planning permission was granted for internal modifications to Dane Tree House and an extension of the existing building to provide entrance space and an environmentally controlled store room (LPA reference 3/00/0743/FP).
- 2.6 In 1988 planning permission was granted for an extension to the existing W.C. and kitchen at Dane Tree House together with the provision of new car parking under LPA reference 3/88/1480/FN.

### **3/13/2036/FP**

- 2.7 In 1991 planning permission was refused under LPA reference 3/91/0317/FP for alterations and additions to form a visitor's reception centre and the provision of parking facilities. This proposal was later dismissed at appeal in 1993.

### **3.0 Consultation Responses:**

- 3.1 The Council's Conservation Officer has recommended approval. They have commented that the proposed new car park and the resurfacing and extension of The Hoops Inn car park would have little or no impact upon the character, appearance and setting of the nearby listed buildings.

The proposed form and design of the front, side and rear extension to Dane Tree House, although more contemporary in nature, would allow the continued interpretation of the principal building and its relationship to Grade 2\* listed Hoglands. The proposed extension to Elmwood is considered to have little or no impact on the setting of Hoglands due to its location and the character and appearance of the wider area.

In assessing the contemporary design of the proposal this allows the existing building to retain its distinct early 20<sup>th</sup> Century character, while being an addition which has merit in its own right. As Dane Tree House is set away from Hoglands, and having regard to the wider area of open green space associated with the site the introduction of the extension would not impose itself upon the immediate or wider area.

In summary the collective impact of the proposed works due to their scale, mass, design, use of materials and location would have little or no impact on the setting of the listed building or character and appearance of the wider area.

- 3.2 English Heritage do not wish to comment on the approach taken to Dane Tree House, except so far as it would affect the setting of Hoglands. They state that it is unfortunate that the enlargement of Dane Tree House would bring the building closer to Hoglands, but they understand that there are strong practical constraints that account for this. To some degree Hogland's setting would be eroded, although it seems unlikely that this erosion would materially affect the significance of the building, it may nevertheless be appropriate to strengthen the planting between the two buildings.
- 3.3 County Highways do not wish to restrict the grant of permission. They comment that they would query the assertion made in the Transport Statement that the proposals are not expected to generate any

### 3/13/2036/FP

additional traffic. However, it is noted that the number of staff would remain unchanged and that it could be argued that a number of the 67 formal new parking spaces proposed are already provided at the site in an ad hoc way. Taking all these matters into account, whilst County Highways do consider there may be an increase in overall trips to and from the site, they consider that it would be difficult to argue that this will be significant enough to result in a severe impact on the free and safe flow of traffic on the surrounding highway network.

Suitable visibility splays should be achieved for all three car parks.

County Highways are concerned that pedestrians will exit the vehicular access of The Hoops car park and walk along the main road, which is undesirable. They state that the alternative pedestrian route alongside the rear of The Hoops public house which routes into the Longfield Yard car park, and out onto the main road opposite the visitor centre access is a much more suitable route to the visitor centre from The Hoops car park. A condition is therefore recommended to require the applicant to erect clear signage within The Hoops car park directing pedestrians along the more suitable route.

- 3.4 Hertfordshire Constabulary has no major concerns with the application and will be providing further advice directly to the applicant.
- 3.5 The Historic Environment Unit has stated that the proposal could impact upon heritage assets of archaeological interest and therefore a condition is recommended to require the submission of a written scheme of investigation for archaeological works.
- 3.6 The Council's Environmental Health department has recommended conditions relating to construction hours of working and contamination.
- 3.7 Natural England have stated that their standing advice should be applied which encourages opportunities to be taken to enhance biodiversity and natural landscape features.
- 3.8 The Council's Engineers have commented that the site is within Flood Zone 1 with no historic records of flooding. A green roof is proposed to Dane Tree House and run off ponds close to Elmwood which will decrease flood risk and reduce pollution, improve water quality and provide landscape and wildlife benefits.
- 3.9 The Council's Landscape Officer has recommended approval. They comment that this site is able to accommodate the loss of a number of trees within the woodland area as necessary to make way for parking.



### **3/13/2036/FP**

The amended staff car park now assimilates well within the woodland setting. There are also no objections to the proposal for the Hoops Inn car park.

- 3.10 East Herts Footpath Society objects to the proposal as the proposed access to the new and enlarged staff car park is along a public footpath and the vehicular traffic generated will constitute a public nuisance for users of the footpath.

#### **4.0 Parish Council Representations:**

- 4.1 Much Hadham Parish Council objects to the proposals. Their concerns can be summarised as follows:

- The proposal is unsustainable and forms an inappropriate development within the Rural Area contrary to Local and National Policies;
- The proposal would be likely to result in increased traffic which would endanger road safety for all users due to the existing road capacity and be detrimental to the amenities of residents;
- The Inspectors decision in respect of a previously dismissed appeal at the site should be noted where it was concluded that the road conditions were substandard and were unsuitable for carrying any significant additional traffic;
- During 2013 there were several instances of gridlock within the village which raises concerns in respect of access for emergency vehicles;
- Any increase in visitor numbers should not be sanctioned.

#### **5.0 Other Representations:**

- 5.1 The application has been advertised by way of press notice, site notice and neighbour notification.

- 5.2 41 letters of representation have been received, objecting to the proposals, which can be summarised as follows:

- Additional traffic of cars and coaches could lead to dangerous road conditions and block emergency vehicles from reaching St Elizabeth's centre;
- The surrounding roads are narrow and cannot safely accommodate additional traffic;
- Additional traffic and large vehicles would cause dangers for pedestrians;

### 3/13/2036/FP

- The road should be widened and footpaths added;
- Additional traffic would cause damage to roads and residential properties;
- Additional car parking at The Hoops Inn will create additional safety concerns with vehicles turning close to a blind bend;
- Permission was previously refused for similar proposals due to the additional visitors anticipated and the condition of the surrounding roads, which has not changed since then;
- The number of annual visitors has increased from the 9,000 stated within the 2009 planning applications to 32,000 last year;
- The space required for a café is catered for within the existing Hoops Inn pub;
- The building work will ruin the grass verges and lanes;
- The proposals will alter the peace and quiet of the area that Henry Moore enjoyed;
- Overdevelopment of existing buildings;
- The extended buildings will impact upon the visual appearance of the site and an intrusion into the rural area;
- Further storage could result in the need for machinery for climate control, which in the case of that at the Longfield barn, already produces audible noise;
- Air conditioning and increases in activity would cause noise disturbance
- Impact upon the amenities of residents;
- The size of buildings are expanding beyond the size restrictions imposed upon residents;
- The extensions are beyond 'limited' and would be disproportionate, contrary to Policies GBC3 and ENV5;
- The two storey glass fronted extension to Dane Tree House is out of keeping;
- The use of steel cladding for the extension to Elmwood would be out of keeping and would impact upon the streetscape;
- The need for the extensions have not been fully demonstrated;
- The number of visitors should be restricted;
- A condition should be imposed to require spoil to be disposed of within the site to avoid the need for large tipper lorries;
- Increases pressures on water and sewerage facilities.

5.3 1 letter of support has been received from a local resident, which can be summarised as follows:

- The Henry Moore Foundation represents a cultural entity of national, some might say, international importance and therefore it

### 3/13/2036/FP

is gratifying to see its success warrants its expansion;

- The expansion will continue to enhance and flatter the local environment;
- Expansions in rural businesses and tourism should be encouraged.

5.4 3 letters of support from museums and galleries within America, France and Germany have been received and a letter from the Sainsbury Centre of Visual Arts at East Anglia University which comment as follows:

- There is global respect for the objects, records, letters and other details of Henry Moore that the Henry Moore Foundation accommodates;
- The long-term significance of additional archive storage space is crucial to allow continued international visitors to carry out research;
- The Foundation staff and the facilities at Perry Green support the work of museums nationally;
- The extension to the archives building is necessary to achieve museum standard environmental conditions for storage.

5.5 A letter has been received from the daughter of Henry Moore, Mary Moore Danowski which can be summarised as follows:

- The family have been consulted on the plans which have been walked through on site with the architects;
- The plan delivers a sensitive design in tune with the way that Henry Moore lived and worked, while integrating well into the present site;
- The proposals, while fulfilling the duty to preserve Henry Moore's collection and making it available to the public, respects his heritage for the future in any authentic way.

5.6 A letter dated 6<sup>th</sup> February 2014 has been received from the applicant's agent in response to the representations that have been received from neighbours and the Parish Council. The contents of this letter can be summarised as follows:

- The previously used 'by appointment' only regime was not successful and resulted in visitors arriving outside of their allotted time and is therefore no longer used by the HMF;
- The HMF does propose to introduce an online advance ticketing service which would assist with visitor management. However, it would always be difficult to manage visitor numbers as, much like a National Trust site, the public expect to turn up without booking;

### 3/13/2036/FP

- The Moore/Rodin exhibition in 2013 attracted visitor numbers that exceeded the HMF's expectations which was partly due to good weather coinciding with the Bank Holiday. The Damien Hirst exhibition planned for 2014 is unlikely to attract the same number of visitors as only a single piece of Hirst's will be displayed, which most of his followers will have already seen and so are unlikely to travel to Perry Green to see again. Furthermore the planned exhibition for 2014 will run 5 weeks less than the 2013 exhibition;
- In 2014 opening will be delayed until 1st May and the HMF will be open 5 instead of the former 6 days a week;
- The proposals for rationalising and improving the parking arrangements and locating the visitors' facilities on the west side of the road aim to manage visitors more effectively and are not anticipating further growth. The aim is to reduce the impact on the village, not make it worse;
- The NPPF states that development should only be refused on transport grounds where the impacts are severe. This is not the case for the HMF which surveys show contributes to 6.3 % of the annual traffic through Perry Green and 9.9% in the open season;
- The existing facilities in Chestnuts are overcrowded, 'porta loos' have to be brought into the site and school children have to eat their lunches outside, regardless of the weather. The proposal would improve these situations and reduce the impact of this activity upon the village green;
- In 2014 a shuttle minibus will take visitors from Bishops Stortford train station to the site and back.
- Coaches will be limited to a maximum of 3 a day and the size of coaches permitted will be reduced to 35 seaters;
- The Longfield barn was designed to accommodate large sculptures and does not provide the environmental conditions required for archive storage;
- The HMF is a charity and not a business and does not receive any funding from Arts Council England;
- Henry Moore is on the National Curriculum and therefore the HMF plays a unique role in educating young people;
- The extensions proposed have been reduced to the minimum size necessary to meet the needs of the HMF and improvements have been sought to the frontage of the existing Elmwood building;
- The application bears no resemblance to the 1992 application which was for a new build of 1066sqm for a two storey study centre, drawing gallery and viewing tower of over 11 metres in height.

### **3/13/2036/FP**

#### **6.0 Policy:**

6.1 The relevant 'saved' Local Plan policies in this application include the following:

- GBC3 Appropriate Development in the Rural Area Beyond the Green Belt
- ENV1 Design and Environmental Quality
- ENV2 Landscaping
- ENV11 Protection of Existing Hedgerows and Trees
- ENV24 Noise Generating Developments
- TR7 Car Parking – Standards
- BH1 Archaeology and New Development
- BH3 Archaeological Conditions and Agreements
- LRC9 Public Rights of Way
- LRC10 Tourism
- TR20 Development Generating Traffic on Rural Roads

In addition, the following sections of the NPPF are of relevance:

- Section 3 – Supporting a prosperous rural economy
- Section 4 – Promoting Sustainable Transport
- Section 7 – Requiring good design
- Section 11 – Conserving and enhancing the natural environment
- Section 12 – Conserving and enhancing the historic environment.

#### **7.0 Considerations:**

7.1 The key considerations in the determination of this application are as follows:

- The principle of the development and the impact of the proposals upon the character of the Rural Area;
- The impact of the proposal on the setting of the nearby listed building i.e. the Grade II\* listed Hoglands;
- Highways/ access considerations.
- Neighbour amenity issues.

#### **Principle**

7.2 The application site is situated within the Rural Area beyond the Green Belt wherein policy GBC3 states that permission will not be given for the construction of new buildings or for changes of use other than for those purposes as specified within this policy which include for agriculture and

recreation. Whilst policy GBC3 does allow for limited extensions to existing dwellings, it does not allow for extensions to non-residential buildings or car park facilities and therefore the current proposals form a departure from the Local Plan.

- 7.3 As the proposals form a departure from the Local Plan the Planning Authority must determine whether there are other material considerations in this case, which outweigh any harm caused by the conflict with Rural Area policy or any other harm.
- 7.4 Section 3 of the NPPF states that Planning Authorities should support sustainable growth and expansion of all types of business and enterprise in rural areas and support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities. Having regard to this, Officers consider that significant weight should be given to the benefits that the proposals would bring in respect of supporting a rural tourist facility which is of international importance and provides employment, learning and leisure opportunities for local residents.
- 7.5 The extensions proposed to Elmwood and Dane Tree House would result in an additional internal floor space of approximately 522 sqm. A large proportion of this space would be contained within the extensions proposed to Elmwood which houses the archives and is not open to members of the public. The HMF has submitted details which explain the size of the extensions that are required for Elmwood and reductions to the size of the proposed extensions have been made following pre-application discussions with Officers. This followed a detailed survey being conducted by the HMF which ascertained the minimum size of extensions required to meet the needs of their archives. Officers understand the importance of creating environmentally controlled, organised and accessible archives that meet the recognised national standards for such facilities to ensure the continued preservation of the various objects, articles, letters etc that are stored in the Elmwood building.
- 7.6 The extension proposed to the side of the existing Elmwood building is of a traditional design and materials. This extension would take on the appearance of a typical addition to a traditional residential building which, whilst no longer in residential use, is how the building currently appears when viewed from the street scene to the front of the site. The larger extension to the rear is of a contemporary design using steel

cladding. This extension has been carefully designed to sit behind the original Elmwood building at a reduced height, with the part of the extension that extends beyond the side of the traditional building being set back and screened by mature trees and hedges to the side of the building. Officers therefore consider it unlikely that any part of the modern extension to Elmwood would be visible from the street scene to the front of the building.

- 7.7 The extensions proposed to Dane Tree House would allow for space to be provided within this building for a café and a shop. This would replace the existing smaller facilities that are provided within Chestnuts. The proposal would allow the visitor facilities to be consolidated around Dane Tree House, therefore concentrating the activity away from the road and neighbouring properties. The extensions to Dane Tree House are relatively modest, the largest element comprising a single storey rear extension projecting 4.5 metres beyond the existing building line. The proposed extensions would increase the floorspace of the existing building by approximately 160sqm which would represent an approximate 17% increase in the size of the building when compared to the existing. It should be recognized that one benefit of the proposed extensions to Dane Tree House would be the resulting demolition of the existing conservatory extension which is of a poor appearance and the roof of which currently extends up the eaves of the roof, therefore almost completely screening the rear elevation of the original building. The proposed extensions would be mostly single storey with a flat green roof, revealing first floor windows and the rear elevation of the original building. Officers consider that whilst this rear extension to Dane Tree House would occupy a larger footprint than the existing conservatory extension it would nevertheless appear a more appropriate scale, proportion and design.
- 7.8 The applicant has explained that the proposals are not intended to increase the number of visitors to the site but instead intended to improve the experience that the HMF provides for their existing visitors; reduce the impact of parking and circulating vehicular and pedestrian traffic, and provide better archive facilities. Notwithstanding this, it is reasonable to assume that the improved facilities such as the larger café area could result in some increased interest and additional visitors to the site. However, as the majority of proposed additional floor space is dedicated to the archive extension to Elmwood, which is not open to the general public and attracts a limited number of visitors carrying out research, and as the new café and shop facilities within Dane Tree House would replace existing facilities within Chestnuts, Officers do not anticipate that the likely number of additional visitors to the site as a result of the current proposal would be significant. A condition is

### 3/13/2036/FP

recommended to require the existing café and shop facilities within The Chestnuts to cease within 3 months of the occupation of the extensions to Dane Tree House. This would ensure that the benefits of the proposal by way of concentrating the visitor facilities around Dane Tree House are delivered and that both the existing and proposed facilities cannot be operated together which could result in additional visitor numbers beyond those currently anticipated.

- 7.9 The extension to the existing car park proposed in between Elmwood and Dane Tree House would result in the loss of some trees and the loss of undeveloped land which inevitably amounts to some harm to the Rural Area. The Council's Landscape Officer has confirmed that there are no objections to the loss of the trees proposed however. Officers consider that the revised proposal for a car park, which is of a more organic design, would assimilate well into the woodland area. The proposed car park would help to consolidate existing activities within the site and reduce the number of pedestrians crossing the road between the Longfield car park and the main site.
- 7.10 The area of the car park proposed to be extended at The Hoops Inn is already used as overspill car parking and, having regard to this, Officers consider that the harm caused by the proposed regularisation of this parking would be limited.
- 7.11 The majority of the extensions to both Elmwood and Dane Tree House are sited to the rear of the existing buildings and would therefore be largely out of view from the front of the site. Therefore, the impact that these extensions would have upon the character and appearance of the surrounding area is considered to be limited. Furthermore, it is not anticipated that any increases in activity that would occur as a result of the proposals would result in significant harm to the character of the Rural Area.
- 7.12 Having regard to the support for the development found within the NPPF; the particular circumstances of the site, including its existing use; the details of the proposal; the benefits that it would bring by way of consolidating the existing facilities and associated activity, and the high standard of design of all elements of the proposal, Officers consider that the benefits of the proposed extensions to the existing buildings and the extensions to the car parks outweigh any harm that they would cause to the character and appearance of the Rural Area. As outlined above, it is therefore considered that there are material considerations in this case that would justify a departure from policy GBC3 of the Local Plan.



### 3/13/2036/FP

#### Setting of Listed Building

- 7.13 The impact of the proposal upon the setting of Hoglands is important due to the status of this building as Grade II\* listed and also due to the significance of this building to the HMF, being Henry Moore's former house.
- 7.14 The majority of the new development proposed is located some distance from Hoglands with the closest development being the single storey side extension to Dane Tree House, which nevertheless retains a space of approximately 18 metres to Hoglands.
- 7.15 The Conservation Officer has assessed the proposal and has no objections to the contemporary design of the proposed extensions to both Elmwood and Dane Tree House. In respect of Dane Tree House, which is closest to Hoglands, they have commented that the proposed form and design of the front, side and rear extension, although more contemporary in nature, would allow the continued interpretation of the principal building and its relationship to Grade 2\* listed Hoglands.
- 7.16 Officers consider that the proposals have been carefully designed and to a high standard to respect the setting of Hoglands and the sculpture gardens as a whole. Therefore, it is considered that the proposals would not have an unacceptable impact upon the setting of the adjacent Listed Building. This view is also supported by the comments of English Heritage.

#### Highways/ Access Considerations

- 7.17 Following discussions with County Highways the applicant has now demonstrated that suitable improved visibility splays can be achieved from the existing accesses onto the public highway. Officers are therefore satisfied that the continued use of the existing accesses are acceptable.
- 7.18 A common concern raised within the third party representations is in respect of the impact of increased visitor numbers upon highway safety having regard to the narrow rural roads that serve the site. A previous decision made to refuse planning permission for an extension to the HMF's facilities has also been referred to.
- 7.19 The permission refused in 1991 and dismissed at appeal in 1993 under LPA reference 3/91/0317/FP was for alterations and additions to form a visitor's reception centre and provision of parking facilities. The Inspector in their decision on this previous proposal acknowledged the

status of Henry Moore and the importance of preserving the site in Perry Green where he lived and worked. They concluded that a departure from rural constraint policies should be allowed in this case provided that the effect on the character of the area and highway safety would be acceptable. However, it was decided that '*...road conditions particularly on Bourne Lane are so seriously sub-standard as to make the network unsuitable to carry any significant additional traffic without major improvements*' and therefore on balance '*...the increased traffic would have unacceptable consequences*' and therefore the appeal was dismissed. It is important to understand the differences between the previous and current proposals and the changes in planning policy that have occurred in order to determine the weight to be given to this previous decision.

- 7.20 The previous proposal was for a larger development than is currently proposed and involved the provision of a large new study centre, a viewing tower and new sculpture gallery. These developments would not only have formed larger, stand alone, buildings (providing approximately double the floor space of the current proposal) compared to the current proposal for extensions, but were also proposed to be used for purposes that would be more likely to attract additional visitors. By contrast, the current proposals are intended to improve the existing facilities, as opposed to providing any new facilities.
- 7.21 In terms of planning policy, the Inspector in their 1993 decision recognised that the National Policy in place at the time of their decision (PPG13) was more onerous than its predecessor. It is also material to note that PPG13 was generally more restrictive than current national planning policy contained in the NPPF and was generally discouraging of developments that could lead to increases in private modes of transport. However, the current proposals must be judged against existing national policy in the NPPF and this indicates that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are 'severe'. County Highways have assessed the proposal and consider that any increases in visitor numbers would not be significant enough to result in a 'severe' impact on the free and safe flow of traffic on the surrounding highway network.
- 7.22 Bearing in mind that the study carried out by the applicant has shown that, of the traffic travelling through Perry Green during opening times, only 9.9% comprises traffic visiting the HMF, Officers agree that there is no evidence to suggest that any increase in visitors and traffic to the site would result in a 'severe' impact as required by the NPPF to justify the refusal of planning permission on transport grounds.

### 3/13/2036/FP

- 7.23 In respect of planning conditions, whilst County Highways initially commented that suitable visibility splays should be achieved for all three car parks, they have subsequently agreed that there should be no requirements for changes to be made to the Longfield car park as no additional parking is proposed for this part of the site. Furthermore, a revised visibility splay for the access onto the public highway relating to the new car park proposed to the north of Dane Tree House has now been agreed by Highways which will longer require the removal of existing trees or impact upon land that is outside of the applicant's ownership.
- 7.24 Concern has been raised by the East Herts Footpath Society that the access to the proposed staff car park is via a public right of way across the site and that the vehicular traffic generated would constitute a public nuisance for users of the footpath. Whilst these concerns are noted, it is material to note that this car park would replace an existing staff car park of 15 spaces which is also accessed from the public right of way at the same point. Furthermore, this section of the right of way is also used by vehicular traffic to access other parts of the site such as the Aisled Barn. It is acknowledged that there will be some additional use of a small section of this access way (as the new car park will provide 34 rather than 15 spaces) but Officers do not consider that the additional usage would result in any significant conflict with users of the footpath such as to warrant refusal of the application.

#### Neighbour amenity

- 7.25 In respect of the impacts of the proposals upon neighbour amenity, (and in addition to the comments already made in respect of traffic generation and increased activity generally) the proposed new developments would be sited some distance from neighbouring residential properties (i.e. a minimum of 25 metres). Whilst it is understood that the existing site can, at times, provide a degree of noise and general disturbance for local residents, Officers do not consider that the current proposals would result in a significant change to the current situation or result in such a degree of harm as to justify the refusal of planning permission.

#### Other Matters

- 7.26 In respect of protected species, a phase 1 study has been carried out which concludes that there is potential for the site to accommodate protected species.
- 7.27 A bat survey has recorded bats passing by Dane Tree House and

emerging from under the eastern most and south west roof tiles. However, as the proposed extensions to Dane Tree House would not affect these parts of the existing roof Officers consider that this part of the proposal would be unlikely to affect bats.

- 7.28 Officers have discussed the findings within the surveys submitted with Hertfordshire Ecology who have advised that the woodland area which show the most potential for species is not classed as ancient woodland and that a precautionary approach is advised. However, there would be no justification in this case to require the submission of further surveys prior to the determination of the planning application.
- 7.29 Based upon the information available, and the advice received from Hertfordshire Ecology, Officers are satisfied that there is no evidence that the proposal would have an unacceptable impact upon protected species and their habitats. A directive is recommended to advise the applicant to take a precautionary approach in respect of protected species.

## **8.0 Conclusion:**

- 8.1 In assessing the current proposal Officers consider that significant weight should be given to the benefits that the proposals would bring in respect of supporting a rural tourist facility which is of national and international importance and provides employment, learning and leisure opportunities for local residents, in accordance with the aims of the NPPF.
- 8.2 Having had regard to the details of the proposal; the representations that have been received; the relevant planning policies; the history and existing lawful use of the site and other material considerations, Officers consider the proposals to be acceptable. They consider that a departure from policy GBC3 of the Local Plan is justified in this instance; that the impact upon the setting of the nearby Grade II\* Listed Building would be acceptable and that the proposal would not result in a severe impact upon highway safety or adverse impact on neighbour amenity such as to warrant refusal of planning permission.
- 8.3 Officers therefore recommend approval of the application for planning permission subject to the conditions set out at the head of this report.