

## DEVELOPMENT MANAGEMENT COMMITTEE – 11 JANUARY 2017

<b>Application Numbers</b>	a) 3/16/2027/FUL b) 3/16/2028/LBC
<b>Proposal</b>	Change of use of agricultural barn and sheds to B1 offices, landscaping and parking
<b>Location</b>	Brickhouse Farm, Church Lane, Hunsdon, SG12 8LG
<b>Applicant</b>	Mr Chris Lovegrove
<b>Parish</b>	Hunsdon CP
<b>Ward</b>	Hunsdon

<b>Date of Registration of Application</b>	a) 9 September 2016 b) 5 September 2016
<b>Target Determination Date</b>	a) 9 December 2016 b) 31 October 2016
<b>Reason for Committee Report</b>	Major
<b>Case Officer</b>	Faye Morley

### **RECOMMENDATION**

- a) In respect of application ref: 3/16/2027/FUL planning permission be **GRANTED**, subject to the conditions set out at the end of this report.
- b) In respect of application ref: 3/16/2028/LBC listed building consent be **GRANTED**, subject to the conditions set out at the end of this report.

#### **1.0 Summary**

- 1.1 Planning permission is sought for the change of use of the Grade II listed weatherboarded barn on the site, and the attached stable and cattle shed, into Class B1 office use, with a total gross floorspace of 1,140m<sup>2</sup>. This would provide three office units within the main barn, each taking up one of the original three sections of the barn, including at first floor level. Three smaller studios would also be provided in the cattle sheds to the side of the barn. Repairs and alterations to the buildings are proposed and parking areas would be provided to the rear and the east flank of the buildings, utilising existing hard surfaced areas.
- 1.2 The proposed re-use of the listed buildings is considered to be acceptable in principle, constituting appropriate development in the Green Belt. The proposed alterations to the buildings are also acceptable and would not result in any harm to the significance of the listed buildings or to the openness of the Green Belt. Indeed, the removal of two large concrete sheds adjacent to the listed buildings would significantly improve the setting of the heritage assets on the site.

The Council's Conservation Advisor is satisfied that the repairs and alterations to the buildings would be of good quality and would ensure the longevity of these heritage assets.

- 1.3 The proposal would provide rural employment which is encouraged by the NPPF but is likely to generate additional activity at the site, with some increase in vehicular traffic, and the proposed parking provision will inevitably alter the appearance of the site. However, it is considered that these matters can be satisfactorily controlled by condition and by the provision of a good quality landscape scheme, such that no significant harm would be caused to the character and appearance of the area, highway safety, or the amenity of the adjacent residential property. Furthermore, subject to conditions and the appropriate licence from Natural England, there would be no adverse impact on protected species at the site.
- 1.4 It is considered that the positive aspects of the proposed development in terms of employment provision and the restoration of the listed buildings are such that would outweigh any harm resulting from the proposed re-use.

## **2.0 Site Description**

- 2.1 The application site is shown on the attached OS extract, and is located to the south of the Category 1 Village of Hunsdon. The site forms an area of 0.8 hectares and lies within the Metropolitan Green Belt.
- 2.2 The site is bounded by open fields with one residential property (Grade II listed) immediately adjoining the site to the west. A private access road lies to its west which connects to Church Lane.
- 2.3 The site itself consists of a Grade II listed triple barn and attached stable and cattle shed with two large concrete sheds on an area of hardstanding.

## **3.0 Background to Proposals**

- 3.1 The applications propose the change of use of the Grade II listed weatherboarded barn and the attached stable/cattle shed building into Class B1 office use. Internally it is proposed to insulate the existing walls, retaining the exposed timber structure wherever possible. The external weatherboarding will be repaired or replaced to match the existing and the existing roof would be replaced with insulated tile or roof slate. New openings, including doors, porches, windows and

rooflights are also proposed, and parking areas would be provided to the rear and the east flank of the building.

- 3.2 It is also proposed to demolish the existing “large span concrete sheds” immediately to the south of the listed buildings, and to remove the existing canopy that is attached to the stable/cattle shed building.
- 3.3 The application is supported by a planning statement, a protected species statement, a structural condition survey, a heritage statement, transport statement and a design and access statement.

#### 4.0 **Key Policy Issues**

- 4.1 These relate to the relevant policies in the National Planning Policy Framework (NPPF); the adopted East Herts Local Plan 2007 and the pre-submission version of the District Plan.

<b>Key Issue</b>	<b>NPPF</b>	<b>Local Plan policy</b>	<b>Emerging District Plan</b>
Principle	Section 9	GBC1 GBC9	GBR1 VILL3
The layout, design and external appearance and neighbour impact	Section 7	ENV1 ENV5 ENV6	DES3 HOU11
Impact on heritage assets	Section 12	BH1 BH2 BH3	HA1 HA2 HA3 HA7
Landscape impact	Section 11	ENV2 ENV11	DES2 LAN2
Parking and Highway impact		TR7	TRA1 TRA2 TRA3
Impact on protected species	Section 11	ENV16	NE2

Other relevant issues are referred to in the ‘Consideration of Relevant Issues’ section below.

## **5.0 Emerging District Plan**

- 5.1 The Council resolved to proceed to the publication of its pre-submission version of the District Plan at the meeting of Council of 22 Sept 2016. Consultation on the Plan has recently been completed and the detail of the responses is now being considered by Officers. The view of the Council is that the Plan has been positively prepared, seeking to ensure significantly increased housing development during the plan period. The weight that can be assigned to the policies in the emerging plan can now be increased, given it has reached a further stage in preparation. There does remain a need to qualify that weight somewhat, given that the detail of the responses to the consultation is yet to be considered.
- 5.2 It may be possible, at the meeting, for Officers to be in a position to provide further advice to Members with regard to the policies in the emerging plan that have not been subject to comment during the consultation period.

## **6.0 Summary of Consultee Responses**

- 6.1 The Highway Authority does not wish to restrict the grant of planning permission subject to conditions and comments that the development would have adequate links to the highway network and appropriate visibility splays can be provided. The Authority agrees with the applicants transport statement dated December 2015 in that traffic generation will not be severe; the existing access road is adequate and a suitable level of parking, and space for vehicle turning, is included. All HGV construction/demolition vehicles should be directed to/from the site via the A414.
- 6.2 The Landscape Officer has no objection, commenting that the layout/design of the proposed courtyard is appropriate in style and design – reflecting the historic arrangement of barn buildings. Landscape and visual impact is low as there is an overall reduction in built form, building mass and volume. Inevitably this development will impact on landscape character, but since the existing buildings are in a dilapidated state they can only benefit from sensitive restoration, with the opening up of views facing south towards/across the Stort Valley being positive. The removal of the concrete sheds will not adversely alter the landscape character, setting or local distinctiveness of the local area to a major degree as the surrounding agricultural landscape will remain unaffected.

- 6.3 The Conservation Team recommends approval of the applications. They comment that the demolition of the large concrete sheds is fully supported as these currently harm the setting of the listed buildings on the site. The proposed landscaped courtyard would however significantly enhance the setting. The demolition of the canopy and open-sided arcade to the cattleshed will improve its character and interest by allowing the historic form of the building to be better understood and by exposing the side elevations of the historic cattleshed. The proposed new fenestration is appropriate to the historic character of the building and follows the pre-application advice given. The full repair of the buildings, and the provision of a sustainable long term use for them, would outweigh any harm caused to the character of the building.
- 6.4 Environmental Health – do not wish to restrict the grant of consent subject to a condition relating to contaminated land.
- 6.5 Environment Agency – does not raise an objection to the proposal or request any conditions. They offer advice to the applicant in respect of foul drainage.
- 6.6 Lead Local Flood Authority – has no objection to the application on flood risk grounds.
- 6.7 Natural England – does not raise an objection to the proposal.
- 6.8 Herts Ecology – advise that the submitted bat survey has proven the presence of bats and a roost site and that the development has the potential to impact on bat roosting sites. It is therefore necessary to consider the 3 derogation tests as set out in the Habitats Regulations 2010. It is advised that the bat survey provides sufficient information regarding mitigation and these measures should be conditioned.
- 6.9 The Council's Environment and Engineering advisor does not object to the proposal.
- 6.10 Historic England – comments that the application should be determined in accordance with national and local policy guidance and on the basis of the LPA's expert advice.

## **7.0 Parish Council Representations**

- 7.1 Hunsdon Parish Council objects to the development and the objections raised can be summarised as follows:

- The buildings are not redundant and continue to be used for agricultural purposes
- Replacement agricultural buildings are likely to be required
- The proposed parking and access areas would cut off access to a large part of the farm and new access routes would be required
- The proposal would threaten the viability of the farm
- Increased traffic will result in highway safety issues and a loss of amenity for the residents of the farmhouse
- Access road is too narrow for two vehicles to pass
- Parking provision is inadequate
- Parking areas would be detrimental to the setting of the listed buildings on and nearby the site

7.2 There are also concerns with water supply and sewerage disposal.

## **8.0 Summary of Other Representations**

8.1 The application has been advertised by neighbour consultation, a site notice and a press notice. Four representations in objection have been received – the concerns raised are summarised as follows:

- The existing farm is functional and the buildings are still in regular use and the proposal would result in the loss of farm land;
- The proposal would be contrary to policies GBC9 and GBC10 of the Local Plan;
- The proposed car park would be detrimental to the setting of the group of Listed Buildings and will cut off access to the farmyard;
- The amenity of those occupying the Farmhouse would be impacted upon;
- The proposed access is dangerous.

8.2 A letter has also been received from a farming contractor who outlines that the proposal would make the continued farming of the site difficult and may jeopardise the vitality of the business. A new replacement building for agricultural use may be required.

## **9.0 Planning History**

9.1 There is no planning history relating to this site.

## **10.0 Consideration of Relevant Issues**

### Principle of development

- 10.1 The site lies within the Green Belt where, under policies GBC1 and GBC9 of the adopted Local Plan, the adaptation and re-use of rural buildings for various purposes, including a Class B1 use, may be considered appropriate subject to a number of criteria being met. The NPPF also permits the re-use of rural buildings in the Green Belt provided that they are of permanent and substantial construction and that the new proposal preserve the openness of the Green Belt (para 90).
- 10.2 The existing buildings in this case are of a form, bulk, general design and materials of construction such that they are in keeping with their surroundings. The barn and cattle shed/stable buildings are traditional in appearance and the barn forms an imposing and attractive building, obscured by 2 large concrete sheds that are proposed to be demolished. The buildings are listed and this highlights their quality and that they are entirely appropriate to their rural surroundings. The buildings are permanent and soundly constructed and it is not proposed to extend the them; only repairs and alterations that are required to accommodate the change of use are proposed.
- 10.3 The two large concrete sheds to the south of the main barn are proposed to be demolished and a condition is suggested to ensure that this occurs before the new use is commenced. They cover much of the existing yard space and their demolition is considered to significantly improve the setting of the listed building.
- 10.4 It is considered therefore that the proposed re-use of the buildings complies with policy GBC9 of the Local Plan and national planning policy set out in the NPPF.
- 10.5 With regards to Policy GBC10, Officers are satisfied that the buildings were all originally erected for genuine agricultural purposes. A number of concerns have been raised that the existing buildings are still in use and are used as part of the existing agricultural unit. The applicant disagrees with this, stating that the buildings in question are not in regular or active use for agricultural purposes. In any event, it is important to note that neither local nor national planning policy on the re-use of agricultural buildings requires that the buildings are redundant for that purpose before an alternative use is proposed for them. Furthermore, if any new buildings were to be required for agriculture

use elsewhere on the holding then the local planning authority would need to consider these against local and national Green Belt policy in the normal way.

- 10.6 The proposal is, in principle, considered to be acceptable and in accordance with policies GBC1, GBC9 and GBC10 of the Local Plan and national planning policy contained in the NPPF.

Impact on openness and the character and appearance of the surrounding area

- 10.7 The main attribute of the Green Belt is its openness, this being defined as the absence of buildings. The fact that this application does not propose to extend the existing buildings on site, and indeed proposes to demolish the existing large, unattractive concrete sheds, is of significant benefit in enhancing the openness of the site and improving the visual quality of the immediate and wider area. The proposal would therefore result in limited harm to the Green Belt and this weighs in favour of the proposal.
- 10.8 Turning to the impact of the proposed use on the character of the surrounding area, Officers are satisfied that the proposal would not result in any significant harm such as to warrant refusal of the application. The alterations proposed to the buildings are limited, and the parking associated with the use is proposed to be located to the rear and east of the buildings, where areas of hardstanding already exist. Whilst the parking of vehicles on the site will inevitably have some impact on the character of the area, the proposed parking will be partially screened by existing vegetation which is proposed to be retained, and supplemented, and will be set some 160 metres back from the nearest highway. Officers therefore do not consider that the amount of parking proposed would be so harmful to the rural character of the site to warrant refusal of the application. The use itself would be contained within the buildings, and therefore, there would be a limited change to the character of the site.
- 10.9 The Landscape Officer is satisfied that any landscape and visual impact is low and has raised no objection to the proposal accordingly.
- 10.10 The activity associated with the proposed use will be different to that of an agricultural use, but this is true of many possible alternative uses of the buildings. Whether the alternative use is for offices, storage and distribution or leisure, there is likely to be an increase in activity in comparison to the previous agricultural use. However, Officers do not



consider that, with appropriate conditions, this would be harmful to the rural character of the area. Conditions are suggested therefore in respect of landscaping, vehicle movements and limiting any storage from taking place outside the buildings themselves.

Impact on the architectural and historic character of the grade II listed barn and its setting

- 10.11 It is imperative that the character and appearance of the listed buildings are preserved and/or enhanced and any alterations, both externally and internally, do not adversely impact on the historic fabric of the buildings. In essence, the general approach is to provide or to continue a use that would minimise the extent of alteration to the basic form, character and setting, yet provide an economically viable, long term use for the building and enable repair and maintenance to be carried out.
- 10.12 The primary aim in any conversion is to retain as much as possible of the character of the barn - the reason for its inclusion in the statutory list of buildings of special architectural or historic interest. All main structural elements of the timber frame are to be retained in-situ wherever possible. The proposal requires part subdivision of the main barn including the creation of a mezzanine level and a number of new openings. In line with the Conservation Officer's advice it is considered that the proposed internal and external works in this instance are justified. The demolition of the large concrete sheds is fully supported, as these are modern agricultural structures which currently harm the setting of the Grade II listed barn. It is considered that the proposed layout of the shared courtyard has been designed to reference the historic layout of the site. It is also considered that the demolition of the non-original canopy and open sided arcade to the Cattle shed will improve its character and special interest by allowing the historic form of the building to be better understood and by exposing the side elevations of the historic cattle shed in views. The removal of the existing asbestos roof coverings and their replacement with slate roofs will also enhance the appearance of the Listed Buildings. The proposed alterations would secure the long term viable use of the assets which in turn is considered acceptable subject to a robust repair schedule and making good condition being introduced to ensure the key features of the building are enhanced as part of the proposal.
- 10.13 In respect of the alterations to the fenestration of the building and the new openings that are proposed, whilst the addition of any new fenestration to a Listed Barn is likely to have an impact upon its character and special interest, it is considered that the proposed

elevations follow the approach expected for a barn conversion to offices. The barn doors being fixed open in place, with glazed openings between, are a suitable solution that illuminates the interior whilst respecting the character of the barns. The introduction of mezzanine floors to what will become Offices 2 and 3 is acceptable and Office 1 will be left mostly open, and will allow the full height and structure of the barn to be appreciated. New fenestration is proposed by the addition of rooflights and new louvered openings to the south elevation; these alterations will have little impact on the character and special interest of the Listed Building. Furthermore, by placing the majority of rooflights on the north and east elevations, the appearance of the barn when viewed from the proposed shared courtyard will still demonstrate a clear rural and agricultural character. Overall, it is considered that the impact the proposed changes will have to the character and special interest of the Listed Barn would be outweighed by the full repair of the barns and the sustainable long-term use that these works will result in.

- 10.14 It is considered that the large concrete structures that cover much of the yard are unsympathetic and detract from the character and appearance of the historic part of the building and their removal is welcomed. Officers therefore consider that the proposed alterations will preserve the special historic character of the listed building and the removal of the covered yard will enhance its setting.
- 10.15 In summary, it is considered that the setting of the Listed Buildings will be greatly improved by the removal of the concrete sheds, and the minimal intervention approach to the elevations will still allow the barn to be appreciated for its rural and agricultural character and special interest.

#### Neighbour amenity impact

- 10.16 It is acknowledged that there is a residential dwelling sited within close proximity to the application site and the impact of the proposals on this dwelling is an important material consideration in the determination of the application.
- 10.17 Two proposed windows in the west elevation of the main barn would face towards this residential dwelling. However, the applicant has indicated that the ground floor window could be fitted with obscured glazing to ensure that no overlooking would occur and the second floor window cannot be accessed internally. With a condition to ensure that these windows are obscure glazed, it is not considered that the proposed fenestration would result in any undue loss of privacy,

overshadowing or similar.

- 10.18 There will however be an increase in activity on the site and the potential therefore to result in an increase in noise disturbance to the adjacent residential property. Some negative weight is attributed to this in the planning balance. However, it is important to note that any use of the buildings will impact, to some degree, on the adjacent property. An agricultural use can result in significant lorry/tractor movements and the associated noise and disturbance that can occur at unrestricted times of the day and night. The proposed re-use is likely to result in additional traffic movements but generally of lighter vehicles. The increased activity can, in Officers opinion, also be controlled by planning conditions such that any impact on the adjacent residential property will be made acceptable.
- 10.19 Class B1 office use should not result in any noise or disturbance to neighbouring properties and, in accordance with Environmental Health's comments, it is not considered that an objection on noise grounds could be sustained.

#### The highway, parking and access implications

- 10.20 In terms of highway safety, access and parking having regard to the comments of County Highways, Officers are satisfied that the existing access arrangement is appropriate for the proposal, and adequate visibility can be achieved along the public highway.
- 10.21 With regards to car parking, the application proposes 38 spaces in total and 16 cycle parking stands which would accord with the LPA's maximum parking standards. In this respect the proposed development is acceptable.
- 10.22 Turning to traffic generation, concerns have been raised from a number of residents regarding this. It is acknowledged that the change of use of the buildings would result in an increase in traffic using the nearby roads to access the site. However, this would be of the nature normally associated with an office use – i.e. generally car traffic. The submitted transport assessment indicates that the peak vehicular trip generation would occur in the AM peak between 8 and 9am with 26 cars arriving at the site, i.e. an average of one car every two minutes. A similar number (23) will then leave the site in the evening peak with lower traffic generation during the day. Over a twelve hour period the generation is likely to be in the region of 132 traffic movements. Officers are satisfied that the local highway network will not be significantly adversely

impacted by the increase in traffic generated and, given the Highway Authority's consultation response, no objection to the proposal is raised on highways grounds.

- 10.23 The site is close enough to cycle from Harlow town and several nearby villages and cycle parking facilities are proposed to be provided. Officers therefore consider the scheme is acceptable in this respect; however, a condition is proposed requiring the provision of a green travel plan to encourage the use of more sustainable modes of transport.

#### Drainage/flood risk

- 10.24 Representations have been received from the Parish Council and third parties raising concern with regard to the impact of the development on flood risk and the impact on the existing sewerage system.
- 10.25 The site is not in a high flood risk area – it is within flood zone 1. The development must, however, make appropriate provision for dealing with surface water drainage. The Environment Agency makes no comment in respect of this matter and neither the LLFA nor the Councils Engineers object to the development in terms of Flood Risk. The applicant has confirmed that there is no intention to discharge surface water into the foul water system.

#### Other Matters

- 10.26 In relation to the impact the development will have on bats, the survey found evidence of bats roosting and therefore the development could disturb or harm these. It is therefore a statutory duty of the Local Planning Authority to apply the three tests contained in the Conservation of Habitats and Species Regulations 2010. The three tests are as follows:
- The proposals must be for imperative reasons of overriding public interest or for public health and safety;
  - There must be no satisfactory alternative;
  - The favourable conservation status of the species in their natural range must be maintained.
- 10.27 Officers consider that the proposals are for imperative reasons of overriding public interest. i.e. to find a suitable use for the buildings (particularly as they are listed) to secure their future and maintenance and to assist in rural diversification; there is no satisfactory alternative

as the conversion of the building is necessary as part of the scheme to enable a suitable use for the barns to secure their future and maintenance and an appropriate mitigation strategy has been submitted, as confirmed by Hertfordshire Ecology to ensure the favourable conservation status is maintained.

10.28 It is considered that, in accordance with policy ENV16 of the Local Plan and the Conservation of Habitats and Species Regulations 2010 the proposed development will not adversely impact upon protected species and the scheme is therefore acceptable in this respect.

## **11.0 Conclusion**

11.1 The proposed re-use of the buildings would constitute appropriate development in the Green Belt, and would accord with policies GBC1 and GBC9 of the Local Plan and national planning policy in the NPPF. The works proposed to the buildings are considered to be acceptable, and would not harm the special architectural and historic interest of the listed building. The proposed use of the buildings and the activity associated with such uses is considered to be acceptable and, with the imposition of relevant conditions, would not result in any unacceptable impact on the amenities of local residents or traffic generation and highway safety. Having regard to Local Plan policy and the NPPF the proposals are considered to be acceptable and the application is recommended for approval.

### **a) Application Ref: 3/16/2027/FUL – Conditions**

1. Three year time limit (1T12)
2. Approved plans (2E10)
3. Obscured glazing (2E18)  
Insert windows in west flank elevation of main barn
4. The two large span concrete sheds shown on drawing P\_710 shall be demolished and the area landscaped in accordance with the submitted plans prior to the first occupation of any of the office units hereby permitted.

Reason: In the interests of the appearance of the area and the setting of the listed buildings on the site in accordance with policies GBC1, GBC9 and ENV1 of the East Herts Local Plan Second review April 2007 and the NPPF.

5. Restriction of Use (5U02) – Class B1 (a) Office use only
6. No external storage (5U07)
7. Lighting details (2E27)
8. Contaminated land survey and remediation (2E33)
9. Bats (2E41)
10. Sight lines as shown on plan (3V09)
11. Hard surfacing (3V21)
12. Provision and retention of car parking spaces (3V23)
13. Wheel washing facilities (3V25)
14. Green travel plan (3V27)
15. Landscape design proposals (4P12)  
Include b, d, e, f, l, j, k, l
16. Landscape works implementation (4P13)
17. Landscape maintenance (4P17)
18. Construction hours of working (6N07)
19. Construction Traffic route (3V26)

### **Informative**

1. Other legislation

### **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; the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The balance of the considerations having regard to those

policies and the limited harm to the open character of the Green Belt is that permission should be granted.

b) **Application ref: 3/16/2028/LBC – Conditions**

1. Listed building three year time limit (1T14)
2. Samples of materials (2E12) amended 'Reason' to refer to the NPPF.
3. Listed Building (timber structure) (8L01)
4. Listed Building (new timber frame) (8L02)
5. Listed building - new windows (8L03)
6. Listed building - new doors (8L04)
7. Listed building - new weatherboarding (8L07)
8. Listed building - rainwater goods (8L09)
9. Listed building – making good (8L10)
10. Repair Schedule (8L11)

**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 National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The balance of the considerations having regard to those policies is that listed building consent should be granted.