

3/05/0620/FP – Conversion of farm buildings to B1/B8 uses at Bramfield Place Farm for Mr Abel-Smith

Date of Receipt: 31.03.05

Type: Full

Parish: BRAMFIELD

Ward: HERTFORD RURAL-NORTH

RECOMMENDATION

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

1. Five Year Time Limit (1T01)
2. No External Lighting (2E26)
3. Parking Provision (Servicing and Parking) (3V18)
4. The use of the premises for the deposition or removal of items of storage shall be limited to the hours of 0800 to 1800 on Mondays to Fridays and 0800 to 1300 on Saturdays, and at no time on Sundays or Bank Holidays.
5. The hours of operation of the premises for all other uses shall be limited to the hours of 0800 to 1800 on Mondays to Fridays and 0800 to 1300 on Saturdays, and at no time on Sundays or Bank Holidays.
6. No storage shall take place outside of the units hereby granted permission.

Reason: In the interests of the appearance of the area in accordance with policy RA11 of the East Herts Local Plan.

7. Bat Survey (2E41)
8. Protection of Bats (2E19)
9. The eastern elevation facing Place Farm shall be clad in weatherboarding, the design and colour to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the appearance of the development and in accordance with policy RA11 of the East Herts Local Plan.

10. No further alterations shall be made to the external appearance of the buildings without the prior written consent of the Local Planning Authority.

Reason: In the interests of the appearance of the area in accordance with

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policy RA11 of the East Herts Local Plan.

11. Refuse Disposal Facilities (2E24)
12. No plant or machinery shall be stored or used outside of the buildings hereby granted permission.

Reason: In the interests of the appearance of the area and amenity of nearby residents in accordance with policy RA11 and Appendix 1(D) of the East Herts Local Plan.

13. Sight Lines (2.4m x 60m)(3V08)
14. Parking Space (3V19)

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and East Herts Local Plan and the Local Plan Review Re-Deposit Version November 2004), and in particular policies RA2, RA6A, RA11, BE15, M11 and RA13E and Re-Deposit policies GBC2, GBC3, GBC10, GBC16b, BH1, TR21 and ENV23. The balance of the considerations having regard to those policies is that permission should be granted.

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1.0 **Background**

- 1.1 The application site is located to the south east of the village of Bramfield, and is identified on the attached ordnance survey extract. The two buildings proposed for conversion are shown hatched.
- 1.2 The site comprises a number of redundant brick agricultural buildings. To the front of the site are two large buildings in Flemish bond brickwork facing into the site. The two buildings proposed for conversion are sited to the south east of these buildings, the rear elevation of one forming a boundary to the access to Place Farm. Further south of the site is open countryside. The only nearby residential property is Place Farm.
- 1.3 Hertfordshire Biological Records Centre have records of bat roost within 250 metres of the application site, and have noted that the buildings proposed to be converted are of an age and structure which make them suitable for bats to roost in. It has therefore been recommended that prior to the commencement of development a bat survey should be submitted to

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and approved by the Council.

1.4 The Council's Environmental Health section have commented on the application and made the following recommendations:

- To safeguard the amenities of the adjacent residential property it is recommended that prior to the commencement of development a report should be carried out by a competent acoustic consultant to assess the likely noise impacts from the proposed uses, including noise from any plant and machinery such as air handling units, vehicle movements, operational noise, etc. The report should also outline mitigation measures to reduce the noise impacts to an acceptable level;
- Due to the existence of ground fuel storage tanks within the site it is recommended that a desk top study shall be carried out which shall include the identification of previous users of the site, potential contaminants and other relevant information, and identify the possible need for remediation of contamination on the site;
- Dependent upon the activities undertaken on the site, the operator may be required to obtain a permit from the Local Authority under the Pollution Prevention and Control Act 1999.

1.5 Hertfordshire Highways have queried whether the number of spaces shown will be acceptable, their recommendation is for 40 spaces, but are happy with sight lines of 2.4m x 60m which currently exist in either direction.

2.0 Parish Council Representations

2.1 Bramfield Parish Council have responded with the following comments:

"The Parish Council has considered the above proposal and has received the views and comments of a large number of residents of the village. On the basis of this comprehensive consideration of the proposal it is the firm decision of the Parish Council that the proposal for change of use of the above farm buildings should be rejected.

In considering this proposal the Parish Council took into account

- The quiet and predominantly residential nature of the village.
- The inadequate highway system in the vicinity of the site including the fact the highway at the entrance to the site (and other village roads do not have street lighting).

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- The access point is on a highway which is dangerous. The Parish Council has the results of a traffic survey which indicates vehicles travel at excessive speed on the highways near this site (even within the 30mph limit cars are driven at recorded speeds of up to 56mph). Intensification of vehicular movement will increase the danger.
- The land immediately adjoining the site is long standing agricultural land
- The introduction of manufacturing processes into a quiet village setting would be detrimental to the long established rural character of the village
- Additional lighting on the site will introduce light pollution into an area which at present has low level lighting.

The Parish Council is also entitled to take into account comparisons with similar developments in adjoining villages. In particular the Parish Council is firmly resolved to prevent any development which would bring about an industrial/trading site similar to that which has been permitted to become established upon the trading estate in Stapleford.

The Parish Council calls upon East Herts Council, as a preliminary step before considering the grant of permission to request the applicant to

1. Describe in detail what vehicular movements are anticipated to and from the site. This should reflect all users of the site.
2. Produce a formal traffic impact survey report.
3. Produce an environmental report on how the immediate environment will be protected from nuisance and or contamination by manufacturing processes or storage of trade waste and refuse. Such report also to deal with prevention of noise and light pollution.

Subject to all of the above if East Herts Council subsequently decides that permission is to be granted for any change of use the Parish Council calls upon the planning authority to

- Reject Use Class B8 since warehousing and distribution is clearly not appropriate to the site in question
- Upon any grant of permission conditions are imposed including the following
- No car sales, repairs or body spraying, or related to, be permitted on the site or storage of vehicles including taxis and coaches.
- No external extraction or ventilation of sawdust or fumes from the units.

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- Delivery vehicles enter and leave the site only in the direction of A119/Hertford and are not permitted to travel through the village of Bramfield.
- Hours of operation of any manufacturing or woodworking machinery are restricted to weekdays only and between 9am and 6pm.
- The 1790 square metres of buildings are restricted to occupation by a maximum of 2 businesses.
- There must be efficient and discrete arrangements for storage and disposal of trade refuse to be agreed with and monitored by Environmental Health
- The existing screen of trees on the western boundary be extended to create a screen to the southern boundary.

It must be emphasised that there is a great depth of opposition to this proposal amongst the residents of the village. Further it is the view of the Parish Council that there must be strict control through the use of planning legislation on any activity in the village in order to preserve the long established, historical and unique character of Bramfield.

The written responses received from residents are attached to this letter and it is requested that East Herts Council give sympathetic consideration to all the points raised in these statements.”

3.0 Other Representations

3.1 The application was advertised by way of press and site notice. 51 letters of objection and 1 letter of support have been received raising the following issues:

- Increased heavy traffic
- Noise
- Overdevelopment
- Pollution – light, chemicals, air
- Hours of working
- Spoil the appearance of the village
- Increased crime

Support

- Provide opportunities and employment for locals

4.0 Considerations

- 4.1 The principle issue with the proposal is whether a change of use to B1 (Business) and B8 (Storage and Distribution) in this site is a suitable use within this location. Determination of this application needs to take account of Local Plan policies regarding the Metropolitan Green Belt (RA2), Adaptation and Re-Use of Rural Buildings (RA6), Landscape Conservation Area (RA11), Developments Generating Traffic on Rural Roads (M11) and Area of Archaeological Significance (BE15).
- 4.2 Planning Policy Statement 7 encourages diversification into non-agricultural activities within Green Belts where the development preserves the openness of the Green Belt and encourages re-use of existing buildings having due regard to amenity of nearby residents.
- 4.3 Within the Metropolitan Green Belt, the adaptation and re-use of rural buildings should be in accordance with policy RA6A (I) which states:-
- (I) THE DISTRICT COUNCIL WILL PERMIT PROPOSALS FOR THE ADAPTATION AND RE-USE OF AGRICULTURAL AND OTHER RURAL BUILDINGS FOR BUSINESS, LEISURE, TOURISM, COMMUNITY AND OTHER PURPOSES COMPATIBLE WITH THE RURAL AREA PROVIDED THAT ALL OF THE FOLLOWING CRITERIA ARE MET:
- (a) THE EXISTING BUILDING IS OF A FORM, BULK, GENERAL DESIGN AND MATERIALS OF CONSTRUCTION SUCH THAT IT IS IN KEEPING WITH ITS SURROUNDINGS;
- (b) THE BUILDING IS PERMANENT AND IS SOUNDLY CONSTRUCTED, NOT REQUIRING COMPLETE OR SUBSTANTIAL RECONSTRUCTION BEFORE ADAPTATION TO A NEW USE;
- (c) THE PROPOSED USE IS SYMPATHETIC TO THE RURAL CHARACTER AND APPEARANCE OF THE BUILDING, NOT REQUIRING EXTENSIVE ALTERATIONS OR ANYTHING OTHER THAN MINOR EXTENSIONS TO ACCOMMODATE IT;
- (d) CONVERSION WOULD NOT LEAD TO DISPERSAL OF ACTIVITY ON SUCH A SCALE AS TO PREJUDICE TOWN AND VILLAGE VITALITY;

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- (e) THE PROPOSED USE IS SYMPATHETIC TO ITS SURROUNDINGS NOT RESULTING IN THE CREATION OF VISUALLY INTRUSIVE HARDSTANDINGS OR VISUALLY DISTINCT CURTILAGES OR INVOLVING SIGNIFICANT LEVELS OF OUTDOOR WORKING AND STORAGE;
- (f) THE PROPOSAL IS NOT DETRIMENTAL IN TERMS OF TRAFFIC GENERATION, ACCESS, PARKING AND SERVICING REQUIREMENTS;
- (g) THE AMENITY OF NEARBY RESIDENTS IS NOT SIGNIFICANTLY AFFECTED.

4.4 Looking at each of the above elements in turn:-

- a) The two buildings are of a size, height, form, bulk and materials which are in keeping with the scale, design and appearance of the site and the area as a whole.
- b) The building is soundly constructed and will not require substantial reconstruction.
- c) There are no proposals to alter the external elevations of the buildings. Any material alteration to the external elevation would require the submission of a formal planning application.
- d) The re-use of the buildings would be likely to increase the vitality of the village, bringing back into use currently redundant buildings.
- e) The use of the building for business and storage or distribution is likely to be sympathetic to the rural character. B1 use includes office, research and development and light industry. To qualify as a B1 use, the Use Class Order makes a proviso that the use can be capable of being carried on without detriment to the amenity of any residential area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit. There would therefore be no detriment to neighbouring amenity or detriment to the agricultural buildings on the site. Storage or distribution, again would involve only loading and unloading of items and would not involve noisy machinery or similar, dust etc. A condition to prevent storage of items outside of the buildings should prevent any detriment to the appearance of the rural area. Business and Storage or Distribution usage is also acceptable in relation to the existing agricultural usage of the other buildings within the site and nearby residential amenity. The proposed usage of these buildings is

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comparable to that north of the site at Bedwells, which Environmental Health have confirmed has not received any complaints regarding noise.

- f) The former use of the site would have involved movements of agricultural machinery to and from the site. It is unlikely that the proposed use will create excessive additional vehicular movements over that that previously existed and that currently existing at Bedwells. Parking spaces have been shown on the site for 25 cars. The maximum that would be required for B1 (a) office use, in accordance with the maximum standards, which requires 1 space per 30m²gfa is 60 spaces. Realistically the buildings are likely to be occupied by less intensive users than offices, and I consider that a requirement for 40 spaces is appropriate and I have recommended accordingly.
 - g) For the reason given above the amenity of neighbouring properties is not likely to be significantly affected.
- 4.5 There are no proposed changes to the external appearance and no new building works, therefore there will be no impact upon Landscape Conservation Area or Area of Archaeological Significance.
- 4.6 Referring to Environmental Health comments, no new buildings are proposed nor is there a breach of the existing hard surfacing and therefore there is not a requirement for a contamination report. The issue of noise has already been dealt with earlier within this report.
- 4.7 Bramfield Parish Council raise a number of issues discussed below.
- a) The issues regarding highway access and egress from the site have been dealt with under the main report and conditions are recommended accordingly.
 - b) No changes are proposed to the adjoining agricultural land. Any use, other than agriculture would require submission of a formal planning application and it is therefore inappropriate to condition the application as such.
 - c) B1 and B8 use by their classification do not generate large amounts noise. No additional lighting is proposed.

Referring to requested conditions:

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- d) Car sales, repairs etc. would require submission of a new application as these uses do not fall within use class B1 or B8.
 - e) Highways have not requested that vehicles only enter and leave the site in the direction of Hertford. It is not appropriate to restrict vehicles in this direction only, and highways have not considered this necessary.
 - f) The size of the site is relatively small and therefore a condition restricting the use to a maximum of two users would be unreasonable. It is unlikely due to the size that there would be an over intensification of use.
- 4.8 With reference to objections from nearby residential dwellings, the majority of issues have been dealt with within the report. There is no proposed new building works and therefore there will not be overdevelopment. The application is to be conditioned with hours of working and no external lighting, thus preventing any possible nuisance to the locality.
- 4.9 Having regard to the above considerations, it is recommended that planning permission be granted subject to the conditions at the head of this report.