

3/09/0928/FP – Proposed demolition of existing storage buildings and workshop on land adjacent to Chestnuts and erection of new storage facilities with associated landscaping, parking and turning areas at Dane Tree House, Perry Green, Much Hadham, Herts, SG10 6EE for The Henry Moore Foundation.

Date of Receipt: 29.06.2009

Type: Full

Parish: MUCH HADHAM

Ward: MUCH HADHAM

Reason for report: Contrary to policy

RECOMMENDATION

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

1. Three year time limit (1T121)
2. Sample of materials (2E1230)
3. Lighting details (2E272)
4. Demolition of buildings (2E382)
Insert, 146/E-00 Revision P1
5. Hard surfacing 3V213
6. Wheel washing facilities 3V251
7. Landscape design proposals 4P124
Delete (9) (h)
8. Landscape works implementation 4P133

Directives

1. It is considered that there is a reasonable likelihood of bats being present on the site. If bats are known to be present or bat roosts are found during work; all work should cease immediately and Natural England be informed. Bats are a protected species under the Wildlife and Countryside Act 1981 as amended and the Habitats Regulations 1994.

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and East Herts Local Plan Second Review April 2007), and in particular GBC3, ENV1, ENV2, TR7. The balance of the considerations having regard to those policies and the outlined need for the building is that permission should be granted.

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1.0 Background

- 1.1 The application site is located within the Rural Area of Perry Green as shown on the attached OS extract.
- 1.2 The application site forms part of the wider Henry Moore Foundation (The Foundation) within Perry Green which consists of a large area of agricultural land, woodland and a number of predominantly residential properties. The site itself, which is situated adjacent to the properties known as Chestnuts and Jasmin, contains a number of existing storage facilities, car parking and towards the rear of the site, an area of open agricultural land. There is mature landscaping around the boundary of the site which separates the existing car parking and storage facilities from neighbouring properties and adjacent agricultural land.
- 1.3 The application seeks permission for the demolition of existing storage buildings and workshops on the land and erection of new storage facilities with associated landscaping, parking and turning areas. The proposed storage facility would be 48 metres in length and 20 metres in width with a plant enclosure situated along the North East elevation of the building. The proposed storage building would replace a number of existing storage buildings on the site and would enable The Foundation to store all of their existing artwork, materials and equipment in a single building.
- 1.4 The Foundation is seeking permission for these new facilities after the theft of a piece of artwork, known as the Reclining Figure, in 2005. This prompted a review of security and storage arrangements which indicated a number of problems with the older dilapidated buildings on site. Furthermore, when needing to retrieve a piece of artwork from inside the existing storage buildings, the cramped storage conditions means

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everything in front of, and around the particular piece would need to be moved out of the way and taken outside, in order to retrieve the relevant piece, which in turn increases the risk of damage to the artwork and poses separate health and safety concerns.

- 1.5 The Foundation considers that the removal of the existing storage units in and around the site and replacement with a larger purpose built storage building would increase security of this nationally important collection and facilitate appropriate conditions for safe and secure storage of artwork. Moreover, the proposed storage facility would enable pieces to be accessed and retrieved without the need to move other pieces around, increasing the security in and around the site.

2.0 Site History

- 2.1 Planning permission was previously granted for the conversion of a sheep barn to form a display area and erection of a new barn for replacement storage purposes (LPA Ref: 3/97/0497/FP). It should be noted that planning permission was previously granted at the adjacent property Chestnuts for the use of the property as a visitor centre on a permanent basis (LPA Ref: 3/02/0540/FN).

3.0 Consultation Responses

- 3.1 County Development Unit, HCC have commented that should the Council be minded to permit the application, consideration would need to be given to the aims of the adopted Hertfordshire County Waste Local Plan 1999.
- 3.2 County Highways have commented that given the existing use of the site and the circumstances behind the specific proposal for a museum store, a highway objection would be difficult to justify. Whilst the volume of storage building is greater than the existing buildings it is to replace, because of the specific nature of the building and its contents, a significant, if any increase in traffic movements is unlikely. Nevertheless to safeguard against potential future B8 storage use of the building and the undesirable traffic movements that would bring, it is recommended that, if approval is granted, it would be made personal to the applicant and the use of the site restricted to the storage of specific items associated with The Foundation. They have also recommended a number of conditions associated with hard surfacing, parking and wheel washing facilities.
- 3.3 Environmental Health have advised that any permission the Planning Authority may grant should be subject to conditions relating to the hours of operation for construction work and the management of air quality.

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3.4 The Herts and Middlesex Wildlife Trust have advised that there may be a presence of bats and their roosts in the local area, therefore where protected species are suspected or present on the development site all construction work should cease and a bat survey should be conducted.

4.0 Parish Council Representations

4.1 Much Hadham Parish Council raised no objections to the proposed development.

5.0 Other Representations

5.1 The applications have been advertised by way of site notice and neighbour notification.

5.2 Two letters of representation have been received which comment that:

- the proposed development would tidy up the area which is currently poorly laid out
- the proposal would enable The Foundation to use storage and parking space more effectively, and would also prevent the occasional cars and coaches parking in the field behind the existing storage facility which can be seen from the footpath surrounding the site.
- in view of the size of the proposed scheme that should the new storage be approved that its surroundings are camouflaged by condition with mature shrubs and trees
- the proposal will inevitably impinge on the line of vision from neighbouring dwellings, and mature landscaping is therefore necessary to lessen the impact of the building.

6.0 Policy

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

GBC3	Appropriate Development in the Rural Area Beyond the Green Belt
TR7	Car Parking – Standards
ENV1	Design and Environmental Quality
ENV2	Landscaping

7.0 Considerations

7.1 The determining issues in relation to this application are:

- The principle of development within the Rural Area Beyond the Green Belt;
- The impact of the proposed development on the character and appearance of the area;
- The impact of the proposed development on the amenities of local residents;
- Highway/ Access considerations.

Principle of Development

7.2 The application site is designated as within the Rural Area Beyond the Green Belt in the Local Plan, wherein permission will not be given for the construction of new buildings or for changes of use other than for those purposes as specified within Policy GBC3. The proposed development does not fall within one of the specified developments or uses outlined in the Policy, thereby forming a departure from the Local Plan.

7.3 The preamble to Policy GBC3 states that the Rural Area is a significant rural resource. The development strategy is to concentrate and direct development to the main settlements. Other settlements have also been selected where limited development may be appropriate to maintain the vitality of the area. However, development in smaller settlements, such as Perry Green, will be accommodated only to support facilities and services needed to meet the employment and housing needs of that settlement and its surroundings.

7.4 It has been indicated that as a result of a previous theft from the site, The Foundation require a new larger secure storage facility which could accommodate their artwork, other materials and equipment. The new storage facility would allow the secure storage of larger pieces of artwork and would enable access and retrieval of certain pieces of artwork for exhibition purposes, without the need for removing other items from storage. This would prevent additional damage to artwork caused by moving and would address health and safety concerns on the site.

7.5 The Foundation have also indicated that the proposed storage facility would hold more artwork than is currently stored on site. It is acknowledged that the proposed store would be larger in size than the current storage arrangements. However, the size and layout of the proposed building has

arisen from the analysis of the size of artwork, plinths, packing cases, pedestals and bases that would be stored within. Whilst the proposed building would be some 1040 square metres in size, this would replace the existing storage building currently on site which, it is considered, would form a material consideration. The approximate area of the existing storage buildings is 593 square metres and these would be removed as part of the development proposal. The removal of these buildings would improve the visual appearance of the site and improve the layout of car and coach parking on the site, reducing the need for vehicles to park at the rear of the site in what appears to be an overspill car parking area.

- 7.6 As part of the proposal, a comprehensive hard and soft landscaping scheme is proposed around the site and along the boundary of the wider agricultural area, wherein the site is situated. It is considered that this would shield the proposed development from the surrounding Rural Area. The proposed hard landscaping would allow improved vehicular access into and out of the site, preventing vehicles from turning in the road as space would be provided on site.
- 7.7 It is acknowledged that the proposed development would form a departure from policy however, having regard to all of the above considerations, it is considered that special circumstances exist that would outweigh the harm caused by reason of inappropriate development in the Rural Area.

Impact of the Proposed Development on the Character and Appearance of the Area

- 7.8 The proposed building would be situated on an area of open agricultural land. This land is currently grassed and land levels are fairly consistent across the site. There are a number of mature trees on the boundaries of the application site. The site has a rural appearance and character. The proposed building would result in the introduction of a large expanse of hard surfacing into this area however, the proposed building would be surrounded by extensive landscaping and the amount of hard surfacing has been reduced by introducing soft landscaped areas around the turning areas. Whilst it is acknowledged that the proposed development would be large in size, it is considered that the substantial screening from the surrounding residential properties and adjacent agricultural land would prevent the development from appearing unduly prominent or intruding into the openness and rural character of the surrounding Rural Area.

Impact of the Proposed Development on the Amenities of Local Residents

- 7.9 The proposed building would be situated some 20 metres from the rear of the existing properties known as Chestnuts and Jasmin. It would be weather boarded with lighting along the eaves to illuminate the turning area in front of the main entrance and the two gable ends that would contain the loading bays for the building. Extensive landscaping would be planted around the boundary of the site, which it is considered would soften the appearance of the building and reduce its impact on the surrounding Rural Area and prevent any light spillage that would be detrimental to the character of the open agricultural area. It is considered that the proposed building would be some 20 metres from the nearest residential property, reducing any potential impact on their general amenity.
- 7.10 The proposed storage facility would result in a change in the character of the use of the land. Although there will be a change to the character of the use, officers do not consider that this would result in a detrimental impact on the amenities of local residents or those members of the public using the footpath which surrounds the application site.

Highways/ Access Considerations

- 7.11 The proposed development is not likely to increase the number of people visiting the site or result in an additional number of vehicle movements into or out of the site that would be significant in terms of its impact on the surrounding residential area. County Highways have commented that due to the large size of the proposed storage facility, to safeguard against potential future B8 storage use of the building and the undesirable traffic movements that would bring, they recommend that any permission should be made personal to the applicant and the use of the site restricted to the storage of specific items associated with The Foundation. It is considered that the proposed storage building would be a purpose built facility for the benefit of The Foundation which owns a substantial amount of land and property in the local area of Perry Green. Given the circumstances and the financial investment necessary to construct the building it is not recommended that such a condition is appropriate in this instance. County Highways have also recommended a number of conditions associated with hard surfacing, parking and wheel washing facilities which it is considered reasonable to recommend in the interest of highway safety.

8.0 Conclusion

- 8.1 In summary, it is considered that the proposed development would be considered acceptable in this instance and that special circumstances exist to outweigh the harm caused, by reason of inappropriateness within the Rural Area Beyond the Green Belt.
- 8.2 The proposed development would not be detrimental to the openness or rural character of the surrounding Rural Area, or the amenities of neighbouring occupiers. There would be sufficient access, parking and servicing arrangements for the development. The proposed landscaping scheme would also serve to improve the appearance of the development within the surrounding Rural Area.
- 8.3 It is therefore considered that there are circumstances in this case to allow permission to be granted contrary to Policy GBC3 of the East Herts Local Plan, and it is recommended that permission be granted subject to the conditions set out above.