

3/09/1128/FP Extension to existing building to provide café, tea rooms, kitchen, store and porch at Pearces Farm Shop, Standon, Buntingford for A.C. Pearce & Sons

Date of Receipt: 22.07.09

Type: Full

Parish: BRAUGHING, STANDON

Ward: BRAUGHING, PUCKERIDGE

Reason for report: Major

RECOMMENDATION

That planning permission be **REFUSED** for the following reasons:-

1. R0312 Within Rural Area – EHLP
2. The proposed extensions by reason of their size, scale, form and design would result in a significant and harmful impact on the rural character and appearance of the building. The effect of those extensions combined with the formalised layout of parking provision and the proposed picnic and children's play area will result in a development appearing prominent within the locality and detrimental to the openness and character of the rural area. The proposal will therefore be contrary to policies GBC3 and ENV1 of the East Herts Local Plan Second Review April 2007.

_____ (112809FP.MP)

1.0 Background

- 1.1 The application site is located adjacent to the eastern carriageway (south bound) of the A10, approximately 350m north of Puckeridge. Access is gained to the site off the lay-by serving the A10. The site is shown on the attached OS extract.
- 1.2 The existing building is some 356 square metres in area and is of a rural appearance, with a brick plinth and boarded exterior. To the front of the building is an open external goods storage area. To the rear are porta-cabins and a portaloo.
- 1.3 The Design and Access Statement (DAS) outlines that the existing business has built up and grown over the last 30 years or so by the applicants and has become a 'valuable local facility' with a 'community focus'. The current business employees 8 full time staff and 20 part time staff in the farming and sales element of the business.

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- 1.4 The proposal involves the demolition of the front sales area and erection of an extension to the existing building to provide café, tea rooms, kitchen, store and porch.

2.0 Site History

- 2.1 The following outlines the planning history pertinent to the site:-

- Planning permission was granted for a new access into the site within LPA reference 3/82/0541/FP.
- In 1983 a farm shop was erected under permitted development rights and later extended under permitted development rights in 1986.
- Within LPA reference 3/89/1417/FP, planning permission was granted for an extension to the shop comprising of storage facilities.
- Planning permission was refused within LPA reference 3/1395-94FP for the extension to the farm shop comprising of an extension increasing the footprint of the building by 116 square metres.
- However, a later planning application (LPA reference 3/95/1430/FP) was granted consent by the Development Control Committee for an extension to the farm shop comprising of a general store and cold store comprising of an additional footprint of 100 square metres. However, it is understood that that permission was not implemented.
- Planning permission has more recently been granted within 3/01/2290/FP for a 100 square metre extension.
- More recently, a Certificate of Lawfulness has been granted by the Council which grants a lawful use for the sale of imported goods and home produced products and as specified in an exhibit submitted with the application (LPA reference 3/09/0148/CL).

3.0 Consultation Responses

- 3.1 Veolia Water comment that the site is within the groundwater source protection zone of Standon pumping station. The construction works and operations of the proposed development should be completed in accordance with the relevant British standards and Best Management Practices, thereby reducing the groundwater pollution risk.

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- 3.2 Natural England do not object to the proposed development in respect of legally protected species as they are not aware that any are likely to be adversely effected by the proposed development.
- 3.3 The Historic Environment Unit have commented that the proposed development site is within Area of Archaeological Significance No 94. The site includes evidence of late Iron age and Romano-British occupation, the remains of a Roman villa on the west side of the A10 and the remains of the nationally important town known at Braughing/Puckeridge (Scheduled Ancient Monument No.75). A survey in 2004 survey revealed only unstratified Roman finds, it therefore seems that previous extensive ploughing of the site has reduced the archaeological potential of the site. Nevertheless the position of the proposed development is such that it should be regarded as likely to have an impact on significant archaeological remains. It is therefore requested that a condition is attached to any grant of permission which requires the implementation of a programme of archaeological work.
- 3.4 The Environment Agency have commented that the proposed development will only be acceptable if a planning condition is imposed requiring surface water drainage details to be submitted.
- 3.5 At the time of writing this report, no comments have been received from County Highways. Any comments received will be reported at the Committee Meeting.

4.0 Town Council Representations

- 4.1 Standon Parish Council have no objection to the proposed development. However, the Parish Council comment that the hours of operation should be restricted to the closing of the premises at 06:00PM on all days of the week. Concern has also been expressed in respect of the highways implications of north bound traffic making a U turn onto the south bound carriage to gain access to the site and, in addition of traffic exiting the premises onto the south bound carriageway with inadequate sight lines.

5.0 Other Representations

- 5.1 The applications have been advertised by way of press notice, site notice and neighbour notification.
- 5.2 Two letter of representation have been received. These letters both raise a concern with the water pressure levels their properties receive, and the impact that the development would have on this.

6.0 Policy

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

SD1	Making Development More Sustainable
GBC2	The Rural Area Beyond the Green Belt
GBC3	Appropriate Development in the Rural Area Beyond the Green Belt
GBC8	Rural Diversification
ENV1	Design and Environmental Quality
ENV2	Landscaping
ENV4	Access for Disabled People
ENV19	Development in Areas Liable to Flood
ENV20	Groundwater Protection
ENV21	Surface Water Drainage
BH1	Archaeology and New Development
BH3	Archaeological Conditions and Agreements
TR7	Car Parking Standards
TR13	Cycling Facilities Provision (Non Residential)
STC9	Farm Shops

7.0 Considerations

7.1 The determining issues in relation to this application are:

- The principle of Development;
- The impact of the extensions on the character and appearance of the existing building and locality;
- Parking provision

Principle of Development

7.2 The starting point for considerations of this application starts with Rural Area Policy. Policy GBC2 outlines that there is a presumption against inappropriate development in the Rural Area. Policy GBC3 outlines some exceptions to this, the only criteria which is of relevance to this application is criteria h), which allows for other essential small-scale facilities, services or uses of land which meet a local need, are appropriate to a rural area and which assist rural diversification.

7.3 The Applicant has stated that the existing use of the site involving the sale of farm produce, self picking and associated employment opportunities for the local community to be a 'good example of rural diversification which will

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be further assisted by the provision of on-site café and eating facilities', and they state that the proposals within this application will be in accordance with the requirements of policy GBC3(h).

7.4 The original Farm Shop (constructed under permitted development rights), was of a relatively small-scale, with a footprint of some 60 square metres or so. During the last 20 years or so, the Farm Shop has expanded further with the benefit of planning permission, in terms of size and footprint. The development within this application proposes the following:-

- The café represents a floor area of approximately 180 square metres creating space for approximately 100 covers.
- The additional development to facilitate this café (including kitchen, storage facilities, toilets, access ramp,) represents a further increase in the footprint of approximately 170 square metres.
- Further storage space is proposed, not associated with the café of equates to a further 150 square metres

7.5 Cumulatively therefore, the café and associated development would create an additional 350 square metres over and above that of the existing building. The 180 sqm and 170 sqm figures above. When these, and the further 150 sqm are taken into account they represent an approximate 140% increase in the floor space of the existing building, and a 1100% increase from the original Farm Shop building.

7.6 Furthermore, it must also be taken into account that a significantly sized 'summer terrace' is also proposed providing potential for an additional 93 square metres of café space. The plans outline that a further 12 covers would be accommodated within this space (although, given the density of covers within the proposed internal café, this would suggest that significantly more than 12 covers could be accommodated) which, particularly during the summer months could increase the number of customers visiting the café further.

7.7 In Officers opinion taking into account the above considerations, such a size of café could not be considered to be a 'small scale' facility and would significantly increase the built development and activity at the site which would be at odds with the Councils Rural Area Policy which seeks to restrict development in such a designated area.

- 7.8 It is also necessary to consider whether a café use could be considered as 'essential', in which to meet a local need as specified in part (h) of Policy GBC3. The Applicant has commented that the ability to sell home cooked foods from produce grown on the farm and sourced locally to be an important element of the integration with the existing facility and the widening of the range of facilities on the site is in keeping with modern trends, whereby people expect to be able to eat where they shop. There are however, limited submissions on whether the café use is indeed 'essential' and whether there is a 'local need' for such a use. Having regard to the nature of development proposed, Officers consider that the proposed development cannot be termed as 'essential'.
- 7.9 Although the Applicant has stated that the widening of the range of facilities on the site for those who visit is 'very much in keeping with modern trends whereby people expect to be able to eat where they shop', it should be noted that the proposed development also allows for an access ramp and steps which allows access directly into the restaurant, essentially bypassing the farm shop use. In effect therefore, the café has the potential to be a self contained A3 use. Officers do not consider that a separate café use to be appropriate form of development within the rural area and would be contrary to Policy GBC3 of the Local Plan.
- 7.10 The applicant has also stated that the proposal will boost and support the continuation of the farm enterprise and comply with policy GBC8 on farm diversification. Members will have noted in Section 2 of this report that a certificate of lawfulness was granted in April 2009 (reference 3/09/0148/CL) in which it had been demonstrated that the Farm Shop had been selling imported goods and home produced products for more than 10 years. This certificate demonstrates that since 1993 the Farm Shop has been selling a significant proportion of goods that are not produced on the farm, and in effect can now be considered more as a general food retail use rather than a Farm Shop solely associated with Pearces Farm.
- 7.11 Policy GBC8 of the Local Plan states that proposals for farm diversification will be permitted provided that the proposal would support the continuation of the farm enterprise. No detailed information has been submitted with the application to demonstrate how the proposal would support the continuation of the farm enterprise, and therefore Officers consider that without any justification, the proposal cannot be considered as rural diversification.
- 7.12 Taking into account the above considerations, Officers do not consider that the proposal can be considered as an 'essential small scale facility'. The local need for such a café use has not been demonstrated by the Applicant

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and the proposed A3 use would not be appropriate within the rural area and would not represent 'rural diversification'.

The impact of the extensions on the character and appearance of the existing building and locality

- 7.13 Officers agree with the Applicant's comments that the existing buildings at the site are of a 'pleasing rural appearance and materials, and that sit happily in the landscape'. They are of a modest, simple and uncomplicated form and arrangement. Officers would agree that the rear of the premises is 'somewhat unsightly' as expressed by the Applicant. However, in Officers opinion, enhancement to the appearance of this rear element of the existing building, (serving as storage facilities and toilets) should not be a significant material consideration outweighing the harm which will result from the very large scaled additions to the building.
- 7.14 In Officers opinion, the proposed size, scale, form and design represents a significant departure from the existing simple and uncomplicated form of the existing building.
- 7.15 From the south elevation (that visible from the car park), the flat roof link (between existing and proposed), would not appear as a congruous feature given the traditional roof forms and roof junctures the existing building currently benefits from. This element combined with the café and terrace project a further 24 metres into the rural landscape than the existing footprint. This is significantly greater than the existing depth of the building, and would, in Officers opinion tend to detract from the character and appearance of the existing simple form of the farm shop and its low key rural appearance.
- 7.16 From the front (west elevation), the frontage of the building is currently 28.5 metres in width, however, this elevation is broken by the existing 'open store' and timber framed element. However, the proposed west elevation, removes this element and extends further to the side (albeit set back from the frontage). Nevertheless, the removal of the open store and extension to the side will, in Officers opinion result in the building appearing significantly conspicuous and prominent from the road frontage, to the detriment of the character and appearance of the site and openness of the rural area.

Parking provision

- 7.17 The floor area of the existing retail area comprises approximately 230 square metres which, in terms of the requirements of TR7 equates to a requirement of 8 parking spaces. The A3 use equates to 170 square metres which requires provision for 34 spaces, including 3 spaces per 4

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employees. The proposal including an 80 space car park would therefore significantly exceed the 'maximum' parking standard.

- 7.18 However, taking into account the existing parking space the premises benefit from I do not consider that this will result in a significantly harmful impact, in terms of the amount of provision allowed for.
- 7.19 However, Officers are concerned with how this parking provision is proposed to be formed and designed. The existing parking space is that of loose gravel with an informal parking layout and manner. However, the proposed layout clearly defines parking spaces with boundaries and landscaping. In Officers opinion such a form and organisation of parking provision (and potentially materials of construction) would create an urban feel to the site which would be out of keeping with the existing informal rural character.
- 7.20 The impact of the proposed parking layout, together with the extensions to the building and the introduction of a picnic and children's play area (which will result in a further encroachment in the surrounding rural area), will in Officers opinion significantly increase the prominence and impact of the site in the rural area, which would be detrimental to the openness and character of the area.
- 7.21 In terms of highway safety, whilst no comments have been received from County Highways Authority, it is considered that, taking into account the existing access arrangements into the site and the nature of development proposed, that the proposal will not result in a significantly detrimental impact on highway safety, in this case.

8.0 Conclusion

- 8.1 The proposed development of the site represents inappropriate development within the rural area and fails to meet the criteria of policies GBC2 and GBC3 of the Local Plan. The proposed use would represent and inappropriate development, which in combination with the size, scale, form and design of the building together with formalised parking spaces and the picnic and children's area will result in a development significantly more prominent and intrusive within the open rural landscapes in which the site is located. For the reasons outlined above, Officers therefore recommend that planning permission is refused.