

5L 3/12/0461/FP – Change of use of residential outbuilding to holiday/ self catering accommodation at Broadeaves, South End, Perry Green, Much Hadham, SG10 6EP for Mr R Roberts

Date of Receipt: 19.03.2012

Type: Full – Minor

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: 01)
3. The use of the premises shall be solely for short term lettings for holiday or visitor purposes for periods of rental not exceeding one month, and for no other purpose whatsoever including within Use Class C3.

Reason: To ensure the Local Planning Authority retains control over the future use of the premises, and to ensure that the use of the building remains compatible with the character of the Rural Area beyond the Green Belt in accordance with Policy GBC3 of the East Herts Local Plan Second Review 2007.

4. The use or occupation of any part of the development hereby permitted by any person shall be for no more than a total of three months in any twelve month period.

Reason: To ensure the Local Planning Authority retains control over the future use of the premises.

Directive:

1. The site is within close proximity to a breeding pond for Great Crested Newts, which are protected under The Wildlife and Countryside Act 1981 (as amended) and the Conservation (Natural Habitats) Regulations 1994, and therefore it is advised that the grass on the lawn is kept as short as possible; all building materials should be stored on pallets; and finally if great created newts are found during development, work must stop immediately and professional, ecological advice taken on how to proceed legally

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 the 'saved' policies of the East Herts Local Plan Second Review April 2007 and in particular policies GBC3, ENV1 and LRC10) and the National Planning Policy Framework. The balance of the considerations having regard to those policies is that permission should be granted.

_____ (046112FP.SE)

1.0 Background:

- 1.1 The site is shown on the attached OS extract.
- 1.2 This application is for the conversion of a residential outbuilding to holiday/ self catering accommodation. The site is located within the Rural Area Beyond the Metropolitan Green Belt, and sited adjacent to the highway within the hamlet of South End.
- 1.3 The application building is a weatherboard clad, timber framed barn located at approximately 15 metres to the northwest of the dwelling known as Broadeaves. Whilst the dwelling most probably dates from the early 20th Century, it is possible that the barn pre-dates the dwelling and it appears to be from the mid-19th Century. The barn now has an established use as a residential outbuilding within the curtilage of the dwellinghouse.
- 1.4 This proposal is not to enlarge this outbuilding, but to alter its internal layout to accommodate a bedroom, shower room, a living room and a kitchen. Other alterations include changes to its fenestration, for example the insertion of two full length shuttered windows (one to the front and one to the rear), and the replacement of the large barn doors with bi-folding doors and shutters.

2.0 Site History:

- 2.1 The relevant planning history for the site is as follows:
 - 3/71/3231/FP – Garage (Approved)
 - 3/83/1761/FP – Alterations and first floor extension (Approved)

3.0 Consultation Responses:

- 3.1 Hertfordshire Biological Records Centre (HBRC) concur with the Bat Survey conducted by J Dobson (dated February 2012), which concluded that no bats or evidence of a roost are apparent on site. On this basis it is recommended that development should proceed with caution. In the event of bats being found, work must stop immediately and ecology advice be taken on how to proceed lawfully. HBRC have known biological data for the above property; a record of Great Crested Newts breeding in the pond at Broadeaves. Notwithstanding this record HBRC have noted that the scale of development is relatively small; and the landscape around the application site is considered unfavorable for Great Crested Newts. For this reason the risk to the newts is considered small and an advisory note is recommended with regard to keeping the grass on the lawn as short as possible; all building materials should be stored on pallets; and finally if great created newts are found during development, work must stop immediately and professional, ecological advice taken on how to proceed legally.
- 3.2 County Highways does not wish to restrict the grant of permission, and have commented that the alterations to an outbuilding to form a holiday let ancillary to the existing dwelling will not have a demonstrable detrimental impact upon highway safety or capacity. Sufficient parking and vehicle turning space will be retained within the curtilage of the site on the existing driveway area, no alteration to the existing vehicle access is required and traffic generation is unlikely to change significantly.
- 3.3 Natural England have commented that the proposal does not appear to affect any statutory protected species or landscapes, or have significant impacts on the conservation of soils, nor is the proposal EIA development.

4.0 Parish Council Representations:

- 4.1 No comments from Much Hadham Parish Council have been received.

5.0 Other Representations:

- 5.1 The application has been advertised by way of press and site notice and neighbour notification.
- 5.2 Two letters of representation have been received which can be summarised as follows:

- Concerns with regard to the increase of non-agricultural traffic on the highway;
- Security concerns;
- Inappropriate development within the locality; and
- Noise nuisance.

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

LRC10 – Tourism

6.2 The National Planning Policy Framework is also of relevance to the determination of the application.

7.0 **Considerations:**

Principle of development

- 7.1 As stated above, the application site is located within the Rural Area where the principle of appropriate development is considered against the criteria as set out in policy GBC3 of the Local Plan. It is Officers opinion that this proposal does not fall within the criteria specified in the policy (as it is not a 'rural' building as such) and cannot therefore be considered as complying with policy GBC3. Consideration should, however be given as to what harm would result from the development and whether any material circumstances exist to warrant a departure from policy in this case.
- 7.2 Policy GBC9 of the Local Plan allows for the conversion of redundant agricultural and other non-residential/domestic buildings. Therefore, if this building were a redundant agricultural or other non-residential building i.e., not within a residential use, then there would be no objection in principle to its conversion for tourism purposes. It is considered that the existing building is of a form, bulk, general design and materials of construction such that it is in keeping with its surroundings; the building is permanent and is soundly constructed, not requiring complete or substantial reconstruction before adaptation to the new use; the proposed use is sympathetic to the rural character and appearance of the building, not requiring extensive alterations or

anything other than minor alterations to accommodate it; the conversion would not lead to dispersal of activity on such a scale as to prejudice town and village vitality; and the proposed use is sympathetic to its surroundings.

- 7.3 For the above reasons Officers consider that, with regard to the criteria of policy GBC9, the harm caused by the conversion of the building to a holiday/ self-catering accommodation use would be limited.
- 7.4 Regard should also be had to policy LRC10 of the Local Plan (Tourism), which states that the District Council will encourage suitable tourism proposals in appropriate locations; and give favourable considerations to suitable proposals for visitor accommodation within the District. The accompanying Planning Statement has justified the need for this use due to a demand for self-catering accommodation, which has been supported by an e-mail from the manager of the Hertford Town and Tourist Information Centre who has commented that: 'there are not many self catering properties in our area and those that we have are always busy. We have noticed an increase in enquiries for self catering properties'. The Planning Statement has also commented that the site is within close proximity to the Henry Moore Foundation and the Lee Valley Park.
- 7.5 It is considered that significant weight should be attached to the above considerations. The proposal would result in limited harm to the character and appearance of the Rural Area, and the need for such accommodation has been demonstrated.

Amenity considerations

- 7.6 Officers have considered the amenity concerns raised by the occupants of the neighbouring Parish Farm; most specifically with regard to noise nuisance from the increased use of the land. Whilst it is reasonable to consider that the amount of activity on the site will increase if such a change of use is approved, the increase would not be significantly greater than that of a large family living in the dwelling itself. The building to be converted is limited in size which therefore restricts the level of activity associated with the proposal. As outlined in one of the third party representations received, it is likely that the building could accommodate a maximum of four people (with two people sleeping in the living room). Even if this were to be the case, it is considered that the noise and activity generated by four people would not be to such a degree to result in significant harm to the amenities of nearby properties. Furthermore it should be noted that the nearest dwelling to the building (not including Broadeaves) is some 40 metres away. For this reason

3/12/0461/FP

Officers consider that it would be unreasonable to refuse the application on this basis.

- 7.7 With regard to loss of privacy, Officers consider that having regard to the distance to the nearest neighbouring property no significant harm would be caused to the occupants of the neighbouring dwelling in this respect.
- 7.8 The concerns in respect of security have been noted. However, it is considered that having regard to the size of the building and the level of activity associated with its use, it is considered that significant weight should not be attached to this concern.
- 7.9 For the above reasons Officers consider that this proposal accords with the amenity considerations of policy ENV1 of the Local Plan.

Parking and access considerations

- 7.10 Officers consider that there is sufficient parking provision within the curtilage of Broadeaves to support the level of accommodation proposed. County Highways also consider that sufficient parking and vehicle turning space will be retained within the curtilage of the site on the existing driveway area; no alteration to the existing vehicle access is required and traffic generation is unlikely to change significantly.
- 7.11 Officers have noted the concerns raised by the occupants of neighbouring dwellings with regard to the appropriateness of the highway system to support further non-agricultural traffic but, having regard to the comments raised by County Highways, it is recommended that the proposal will not have a demonstrable detrimental impact upon highway safety or capacity.
- 7.12 For the above reasons Officers consider that this proposal accords with policy TR7 of the Local Plan.

Other Matters

- 7.13 In following the advice from HBRC, it is recommended that a directive be attached to any permission that advises the applicant that the site is within close proximity to a breeding pond for Great Crested Newts, which are protected under The Wildlife and Countryside Act 1981 (as amended) and the Conservation (Natural Habitats) Regulations 1994, and therefore it is advised that the grass on the lawn be kept as short as possible; all building materials should be stored on pallets; and finally if great created newts are found during development, work must stop immediately and professional, ecological advice taken on how to proceed

legally.

Conditions

7.14 Officers are mindful that, in order to accord with Local Plan policy, the accommodation proposed should be used on a temporary basis for holiday/ self-catering accommodation. It is therefore recommended that if Members grant permission for the conversion of this outbuilding then a condition should be imposed that limits the use of the building. The suggested condition is included at the head of this report.

8.0 Conclusion:

8.1 Whilst the proposed development does not accord with policy GBC3 of the Local Plan, Officers consider that significant weight should be attached to the limited harm to the character and appearance of the rural area from the proposal and its tourism benefits. It is considered that, in this case, these matters constitute material considerations which outweigh the policy objection to the proposal.

8.2 In accordance with the above considerations Officers therefore recommend that planning permission is granted subject to conditions.