

5e 3/12/0791/FP – Erection of extension to provide 43 en-suite bedrooms at Fanhams Hall Hotel, Fanhams Hall, Fanhams Hall Road, Ware, SG12 7PZ for Exclusive Hotels

Date of Receipt: 04.05.2012

Type: Full – Major

Parish: THUNDRIDGE, WARESIDE

Ward: HUNSDON, THUNDRIDGE AND STANDON

RECOMMENDATION:

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

1. The application site lies within the Metropolitan Green Belt as defined in the East Hertfordshire Local Plan wherein permission will not be given except in very special circumstances for development for purposes other than those required for mineral extraction, agriculture, small scale facilities for participatory sport and recreation or other uses appropriate to a rural area. In this case whilst the benefits of the proposal put forward by the applicant have been assessed, it is not considered that these constitute the very special circumstances which would clearly outweigh the harm caused to the Metropolitan Green Belt and other harm. The proposal is thereby contrary to policy GBC1 of the East Herts Local Plan Second Review April 2007 and national planning policy in the National Planning Policy Framework.
2. The proposal fails to make adequate financial provision towards sustainable transport programs. It would thereby be contrary to the provisions of policies TR1 and IMP1 of the East Herts Local Plan Second Review April 2007.

_____ (079112FP.NB)

1.0 Background:

- 1.1 The application site is shown on the attached OS extract.
- 1.2 Fanhams Hall Hotel is located within the Metropolitan Green Belt to the north east of Ware and is sited within substantial grounds of approximately 10.6 hectares.
- 1.3 The principle building at the site is Grade II* Listed and a more recent addition to the site, known as North Lodge is Grade II Listed. Various other structures within the grounds of the hotel including stone lanterns, steps, bridges and outbuildings within the gardens are also Grade II Listed. The site is within a Historic Garden which is listed in the English

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Heritage's 'Register of Historic Parks and Gardens'.

- 1.4 The application made under planning reference number 3/12/0791/FP proposes a 3 storey extension to provide 43 additional en-suite bedrooms.
- 1.5 The proposed extension would be sited to the north of the existing hotel buildings, on an area of lawn that is currently occupied by several mature Pine trees. The proposed building would be linked to the Grade II Listed North Lodge, which is referred to within the applicant's submission as the Annexe, by a single storey glazed link. The 3 storey building commences at a distance of approximately 3.5 metres from the rear of the Annexe, the proposed building would then extend to the north from the existing building, reaching a length of 38 metres.
- 1.6 The part of the building that is closest to the existing Annexe building has a hipped roof which reaches a ridge height of 8.2 metres when taken from the western elevation and 7.4 metres when taken from the eastern elevation; this difference is due to a change in land levels. This ridge height is approximately 0.4 metre lower than that of the adjacent Annexe building. The land levels decline more substantially from a south to north direction which results in the ridge height of the building increasing to 9.8 metres. The ridge height of the Annexe buildings vary from 7.6 metres to 8.4 metres and the height of the Grade II* listed building at the site is approximately 13 metres.
- 1.7 The building is proposed with gable end projections within the north, east and west elevations, these are designed with parapet gables to match those found on the Annexe building. The building is proposed with dormer windows within the roof to serve the 2nd floor accommodation; these windows are designed, along with the remaining fenestration, which have stone quoins, to match that found on the existing Annexe. Several chimneys are proposed which would protrude no higher than 2 metres from the ridge of the roof of the building.
- 1.8 The proposed development is identical to that previously submitted in August 2008, which was subsequently withdrawn prior to a decision being made. However, additional information has been submitted with the current application including a Need and Sequential Assessment and a report on the applicant's business case.

2.0 Site History:

- 2.1 The relevant planning history for the site is as follows:

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- 2.2 Fanhams Hall was previously used as a business training centre during which time various extensions were added to the buildings and in the late 1980's the buildings were considerably extended which resulted in the existing configuration of buildings.
- 2.3 In 2005, under lpa reference 3/05/0001/FP planning permission was granted for the change of use of the buildings from a business training centre to a hotel, its current use.
- 2.4 In 2006 under LPA reference 3/06/2160/LB Listed Building Consent was granted for internal alterations to the building.
- 2.5 In October 2010 Listed Building Consent was granted, under lpa references 3/10/1401/LB and 3/10/1543/LB for the erection of an extension and glazed link to provide 43 en-suite bedrooms and for internal alterations to amalgamate bedrooms in courtyard building.
- 2.6 Application reference 3/10/1396/FP which sought permission for the erection of an extension to provide 43 en-suite bedrooms was withdrawn in October 2010.

3.0 Consultation Responses:

- 3.1 The Council's Environmental Health department has recommended a standard condition that relates to noise.
- 3.2 The Environment Agency has withdrawn their initial objection to the proposal which was due to the failure to provide a Flood Risk Assessment. Due to the size of the site a Flood Risk Assessment is no longer required. A condition is recommended to require details to be submitted of a scheme to dispose of foul and surface water.
- 3.3 Veolia Water comment that construction works should be carried out in accordance with the relevant British Standards and Best Management Practices due to the site's location within the groundwater Source Protection Zone of the Musley Lane Pumping Station.
- 3.4 The Conservation Officer recommends approval. They have stated that although the impact the extension would have on the immediate and wider setting of Fanhams Hall is recognised, it is also noted that the design has been carefully considered to reflect the strong architectural features of the principle buildings which contribute to the character and appearance of their setting resulting in a modern constructed extension with a distinct relationship with its historic host. The success of which will be in the use and quality of materials proposed, a matter which can

be dealt with via condition. The principle consideration, however, is the mass and scale of the proposal and the impact this would have on the wider setting of the historic buildings, landscape and gardens which include important views and vistas, a concern which could be overcome by the introduction of a good landscaping scheme including the re-instatement of mature pine trees around the periphery of the building providing some sense of screening which in turn will soften the overall mass, scale and distinct design.

In summary, although the extension is substantial, it is considered to have a minimal impact on the overall architectural and historic significance of the collection of listed buildings and historic landscape / gardens that make up Fanhams Hall.

- 3.5 The Councils Engineer has commented that the site is outside of flood risk zones 2 and 3, has no records of historical flooding and is shown away from surface water inundation zones. They comment that the development appears to show a net increase in the amount of impermeable areas being created with a consequent increase in the risk of associated flooding to the surrounding areas and potential increase within the development. This will be accentuated by the construction of the new extension below existing ground levels. They also state that the development does not appear to have adopted the recommendations of the East Herts SFRA especially with regards to the use of sustainable drainage systems. It is recommended that the applicant makes use of above ground Sustainable Drainage Systems.
- 3.6 The Campaign to Protect Rural England objects to the proposed development and questions the special circumstances that the applicant presents in relation to additional bedrooms being needed to secure the future of the listed building and suggest that the proposal is aimed to meet market demand as opposed to financial viability.
- 3.7 The Landscape Officer recommends refusal due to the failure to provide a full landscape proposal and advises that the use of conditions is not likely to be effective in this instance.
- 3.8 The Hertfordshire Gardens Trust have commented that the major effect on the listed gardens of this development will be the views from the Italian Gardens, across the bowling green to the Scots Pines trees. They concur with the Arboricultural Statement that Scots Pines be planted to replace those trees to be removed and that semi-mature trees and shrubs should be planted to ensure that the proposed development is sufficiently screened whilst the other trees are maturing. They consider that the harm to the setting of the gardens at Fanhams

Hall will be of temporary duration whilst the trees mature.

- 3.9 The Herts Biological Records Centre have commented that the report submitted with the application found that roosting bats are not a constraint to the proposed development. The proposal site does provide a suitable habitat for Great Crested Newts, however, and suitable mitigation methods should be provided to include the erection of exclusion fencing, trapping or hand searching of the grassland and the provision of newt habitat elsewhere within the grounds.
- 3.10 County Highways does not wish to restrict the grant of permission subject to conditions in relation to the movement and parking of construction vehicles and the storage of materials and the submission of a Green Travel Plan. County Highways confirm general agreement with the findings of the Transport Statement submitted in support of the application and welcome the intention to provide an update to the existing Green Travel Plan. The only major point of disagreement is the lack of sustainable transport contribution being offered.

The proposal is well over the thresholds referred to in the East Herts Planning Obligations SPD and whilst the applicant is not suggesting that additional parking is proposed or indeed, required they have identified that there will be additional peak hour traffic movements. The Hertfordshire County Council Planning Obligations Toolkit calculates financial contributions based on increase in peak hour movements as opposed to parking provision as referred to in the East Herts SPD. Whilst it is acknowledged that the increase in traffic is not significant in terms of numbers it is felt that it is not unreasonable for this development to make a Sustainable Transport contribution toward measures that would assist visitors to the establishment that choose to attend by public transport or staff who may choose to walk or cycle. In this respect the Hertford and Ware Urban Transport plan includes a variety of measures to promote and encourage sustainable travel. Based on the toolkit and the findings of the submitted Transport Statement a contribution of just £11,000 is appropriate. With regard to on-site highway issues the development site is remote from the public highway, parking and vehicle service/delivery areas are retained and should there be a need for extra parking at times of peak demand there is sufficient land to accommodate these needs without spilling out onto the public highway. No changes to the existing access and egress arrangements are proposed or required. Hence the minimal number of appropriate highway conditions included in this response.

- 3.11 English Heritage have commented that on the basis of the submitted information the proposed additional accommodation at Fanhams Hall

seems likely to cause significant additional harm to the setting of the historic house and the character of its gardens. If so, it is recommended that the proposals are approved only if the Authority is satisfied that the justification is compelling, and that the public benefits accruing from the continued use of the house for its present purpose would outweigh the harm consequent on what is proposed.

4.0 Parish Council Representations:

4.1 Both Thundridge and Wareside Parish Councils have been consulted on the applications and no comments have been received from Thundridge Parish Council. Wareside Parish Council has commented that although they welcome new developments within the area which may benefit the community, they are concerned that the traffic, particularly during the construction phase, through Wareside has not been fully addressed. Due to its narrow single track roads with minimal passing points, the roads in Wareside are unsuitable for heavy vehicles.

5.0 Other Representations:

5.1 The application has been advertised by way of press notice, site notice and neighbour notification.

5.2 No letters of representation have been received.

6.0 Policy:

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

GBC1	Green Belt
ENV1	Design and Environmental Quality
ENV2	Landscaping
ENV11	Protection of Existing Hedgerows and Trees
ENV16	Protected Species
ENV17	Wildlife Habitats
SD1	Making Development More Sustainable
LRC10	Tourism
BH16	Historic Parks and Gardens
TR1	Traffic Reduction in New Developments
TR2	Access to New Developments
TR3	Transport Assessments
TR4	Travel Plans
TR7	Car Parking- Standards
TR20	Development Generating Traffic on Rural Roads

IMP1 Planning Conditions and Obligations

6.2 In addition to the above the National Planning Policy Framework (NPPF) is of relevance.

7.0 Considerations:

7.1 The determining issues in relation to this application are:

- Whether the principle of the development is acceptable, and whether very special circumstances exist to warrant a departure from Green Belt Policy;
- The justification given for an extension to a town centre use in a rural location;
- The impact of the development on the setting of the Listed Buildings;
- The impact of the development on the Historic Garden;
- The loss of existing trees;
- The impact of the development on protected species; and
- The necessary contributions towards sustainable transport programs.

Principle of development

7.2 The application site lies within the Metropolitan Green Belt, as designated by the Local Plan. Both the NPPF and Local Plan Policy GBC1 outline specific types of development that are appropriate within the Green Belt. In addition to the types of development that are listed within GBC1, the NPPF allows for *limited infilling or the partial or complete redevelopment of previously developed sites ... which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development*. In this case the applicant has argued that the proposed development falls within the above description and therefore is an appropriate development within the Green Belt. Officers accept that the wider site, being the existing hotel known as Fanhams Hall, does indeed form a previously developed site and that the NPPF outlines within its definition of previously developed land that this includes the curtilage of

the developed land. However, the NPPF also clarifies that this does not mean that the whole curtilage of a previously developed site should be developed. Furthermore, the proposal is for a new building to be constructed on land that is outside of the existing building footprint, which Officers consider, does not constitute infill development or a redevelopment of the site. The proposal instead forms an extension to the existing site into Green Belt land.

7.3 Notwithstanding the above view that the proposal fails to constitute limited infilling or a redevelopment of the site, the NPPF also requires that in any case such development should not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development. The proposal is for a new building that is of a substantial size and scale. The proposed building would extend into open and undeveloped Green Belt land and would undoubtedly have a greater impact upon the openness of the Green Belt than the existing development. This reinforces Officers' views that the proposed development therefore forms inappropriate development within the Green Belt.

7.4 The NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The NPPF outlines that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. Planning permission should therefore be refused unless there are other material considerations to which such weight can be given that they clearly outweigh this harm caused by inappropriateness and any other harm.

Other Harm

Openness of the Green Belt

7.5 The proposed development is of a substantial size and scale which Officers consider would result in the loss of an existing openness at the site and in turn to the wider Green Belt. The proposed development would form an extension to the existing buildings at the site onto land that is currently undeveloped. This extension to the existing built form at the site with a building of the proposed size and scale would result in the loss openness to the Green Belt. It is considered that significant weight should be attached to this consideration.

Impact upon the setting of the Listed Buildings

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- 7.6 The proposed extension is of a substantial size and as such the impact that the development would have upon the setting of the Listed Buildings at the site is an important consideration.
- 7.7 The Conservation Officer's comments conclude that the impact that the proposed extension would have upon the setting of the Listed Buildings would be acceptable. The Conservation Officer outlines that the design has been carefully considered to reflect the strong architectural features of the principle buildings which contribute to the character and appearance of the setting resulting in a modern constructed extension with a distinct relationship with its historic host.
- 7.8 The concerns that have been raised by English Heritage in respect of the impact that the development would have upon the setting of the Listed Building and the registered garden have been considered. However, Officers have carefully considered the impact that the development would have upon the setting of the heritage assets at the site and feel that whilst the building is of a substantial size and scale its impact upon the setting would be mitigated against by the high standard of design and by the use of high quality materials and a comprehensive landscaping scheme.
- 7.9 Officers consider that, should the need for an extension of this size within the Green Belt be justified then the proposed design and siting of the building would be an appropriate option in relation to the setting of the Listed Buildings. There would therefore be limited harm to the setting of the Listed Buildings on the site.

Loss of Trees and Impact upon the Historic Garden

- 7.10 A total of 22 trees are proposed to be removed from the site to enable the construction of the proposed extension. The Arboricultural Statement that has been submitted with the application defines 17 of these trees as 'C' category trees, which in accordance with BS 5837:2005, should not impose a significant constraint on development. However, 5 Pine trees are classed as either Category A or B. The Council's Arboricultural Officer has previously commented that the proposed removal of the significant Category A and B pine trees for the proposed accommodation should be resisted, as the loss of these trees would harm the setting of Fanhams Hall and be detrimental to the registered historic garden.
- 7.11 Whilst it is noted that the majority of the trees that are proposed to be removed are classed as Category C, Officers consider that these trees, nevertheless cumulatively make a significant contribution to the

appearance of the site.

- 7.12 The applicant proposes new planting at the site to mitigate against the loss of the existing trees and the impact that the development would have upon the setting of the listed buildings and the historic garden. A total of 18 new Pine trees are shown on the existing landscape plan. The objection that was received from the Historic Gardens Trust with the previous application has now been withdrawn based upon the applicant's new intentions for replacement planting at the site, which includes the planting of 4.5-5metre high semi-mature trees to help provide some immediate screening of the building from the registered garden.
- 7.13 The objection received from the Council's Landscape Officer has been considered. Whilst Officers agree that it is unfortunate that the applicant has failed to submit a comprehensive landscape scheme, it is considered that the concerns in respect of the impact that the development would have upon the setting of the heritage assets at the site, and in particular the historic garden, can be sufficiently mitigated by the completion of an adequate landscape scheme that could be agreed by condition of any planning permission granted. It is therefore considered that limited harm would be caused to the landscaped character of the site by the proposal.

Highways Matters and Parking

- 7.14 With regards to the implications that the proposed development would have upon access and parking County Highways have confirmed that they do not wish to restrict the grant of permission. However, as the applicant has identified that there will be additional peak hour traffic movements County Highways require a financial contribution of £11,000 towards Sustainable Transport for measures that would assist visitors to the establishment that choose to attend by public transport or staff who may choose to walk or cycle. Officers have requested further information in respect of how this money would be spent in order to ensure that the requirement for this contribution is justified. Any additional information that is received on this matter will be reported to Members at the Committee meeting.
- 7.15 The Transport Statement that has been submitted in support of the application states that it is considered that the assessment demonstrates that the development would not have a significant impact upon any Council services and would not result in an increase to parking provision and as such a contribution towards sustainable transport is not necessary.

- 7.16 Based on the information that is currently available, Officers consider that a sustainable transport contribution appears to be justified and necessary to address the impact that the increased vehicular movements would have and to provide some mitigation against the unsustainable location of the site, outside of a town centre.
- 7.17 163 car parking spaces are currently available at the existing site. No additional parking is proposed as part of the current proposal. Appendix II of the Local Plan recommends a maximum parking provision of 1 space per bedroom plus additional spaces based upon the size of the dining, bar, conference and exhibition areas. The proposed extension would result in a total number of 120 bedrooms. Officers consider that the existing amount of parking provision at the site would be sufficient to provide for the resulting 120 bedrooms plus additional rooms that the hotel accommodates and that the proposed development does not conflict with the aims of Policy TR7.
- 7.18 Taking into account the above considerations, whilst the development proposes sufficient parking spaces, the proposal fails to make any contribution towards Sustainable Transport Measures. Some weight should therefore be attached to the identified harm in this respect.

Protected Species

- 7.19 Following the withdrawal of the previous application at the site a Protected Species Assessment was carried out. The assessment found that roosting bats and nesting birds are not a constraint to the site proposed development; however, the proposal site does provide a suitable habitat for Great Crested Newts. The comments that have been received from the HBRC state that suitable mitigation methods can be provided to include the erection of exclusion fencing, trapping or hand searching of the grassland and the provision of newt habitat elsewhere within the grounds. Officers are satisfied that sufficient studies have been carried out in respect of protected species, however consider that a condition should be imposed upon any planning permission granted for mitigation to be provided in respect of Great Crested Newts. It is therefore considered that limited harm would be caused in this respect.

Other Material Considerations

- 7.20 Given that the development, by definition, is harmful and that other harm has been identified as set out above, it is necessary to consider whether these matters are outweighed by other issues.

- 7.21 The applicant has argued special circumstances within their supporting information that relate to the future protection and maintenance of the heritage assets at the site, the future viability of the hotel and the wider economic contributions of the proposal.

Future protection and maintenance of heritage assets

- 7.22 The Design and Access Statement outlines that when the applicant purchased the site the buildings were in need of extensive refurbishment and the grounds had suffered some neglect. These works have come at a financial cost and it is a cost that will continue to need to be met on a regular basis if these important assets are to be conserved for the future. The applicant argues that the only means by which the future conservation of the heritage assets can be achieved is by ensuring that the business remains viable and successful.
- 7.23 The NPPF outlines the importance of ensuring that heritage assets are put into viable uses in the interests of their preservation and the wider social, cultural, economic and environmental benefits that the conservation of heritage assets can bring. Whilst Officers agree that the future preservation of the historical assets at the site is of importance and accept that achieving this would incur financial costs for the applicant, there is no evidence to suggest that any substantial repairs are currently required to the heritage assets at the site. Without any evidence to demonstrate that the existing business is unable to viably ensure that the necessary repairs to the heritage assets are carried out, Officer's recommend that limited weight is given to these circumstances.

The future viability of the hotel

- 7.24 The applicant outlines that there is currently a mismatch between the demand for services and facilities provided by the hotel as a wedding and conference venue and the availability of bedrooms. The applicant claims that this has had a significant impact on the financial viability of the hotel and the future of the business.
- 7.25 A Business Case has been submitted to accompany the application. This analysis explains that the main conference rooms at Fanhams Hall have a combined capacity of 400+ people, whereas there are only 77 bedrooms at the hotel.
- 7.26 The report explains that the business achieved a net profit level of 6.3% in 2010 and 5.7% in 2011 which is below the level of return that the company expects from the property. The other properties in the

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applicant's portfolio return net annual profits of 12-20%.

- 7.27 The report outlines that since 2009, 133 large events have been booked only later to be cancelled for the reason that there was a lack of bedrooms available.
- 7.28 The Listed Building Consent that was granted in 2010 under lpa reference 3/10/1543/LB allowed for internal works to increase the size of some of the smaller rooms that the applicant was having difficulties in filling. Officers have previously commented that there was justification for the provision of new accommodation to replace the bedrooms that would be displaced by the internal alterations. This would ensure that the proposed internal alterations would make a more efficient use of the existing building and the accommodation that it provides without resulting in a loss of facilities for the hotel. Officers stand by these previous comments and would in principle have no objection to a smaller scale development to provide the number of rooms lost by the internal alterations. However, with the previous applications the applicant stated that the number of rooms that would be displaced by the internal alterations would be just 14 and therefore these circumstances do not justify the full 43 additional bedrooms that are proposed in the new extension to the hotel.
- 7.29 In relation to the applicant's argument that the number of bedrooms available at the site is disproportionate to the conference room capacity at the site, the applicant has stated that the conference capacity is 400+ delegates, compared to 77 bedrooms. The applicant argues that the number of bedrooms that the hotel accommodates is insufficient compared to their conference facilities which results in business being lost to other nearby hotels. In order for a fair comparison to be made between the facilities at the application site and nearby competitors it would seem reasonable to Officers to compare hotels of a similar standard. The supporting documents suggest that Fanhams Hall is currently classed as a 4* hotel. Nearby hotels which are of a similar star rating to Fanhams Hall includes The Roebuck (3*), Tewinbury Farm (4*), Theobalds Park (4*) and Down Hall (4*). In addition the Business Case claims that Hanbury Manor, albeit a 5* hotel is also strong competition for Fanhams Hall. Using information from the websites of these hotels the table below has been devised by Officers in order to compare the number of rooms with the conference capacity.

Hotel	No. of	Conference	Ratio
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	Bedrooms	Capacity	
Hanbury Manor	161	592	1 : 3.68
The Roebuck	49	200	1 : 4.08
Theobalds Park	141	627	1 : 4.45
Fanhams Hall	77	430	1 : 5.84
Down Hall	99	911	1 : 9.20
Tewinbury Farm	29	404 (not including the marquee)	1 : 13.93

For the purposes of this table and in order to calculate a ratio, Officers have used the conference capacity of 430, which was the figure given by the applicant with the previous application.

Members should be aware that the above figures are estimated and are included in this report in order to make some comparison between Fanhams Hall and other hotels in the area in order to assist in the determination of whether the existing number of bedrooms are disproportionate to the conference capacity and whether these circumstances would result in the loss of business to local competitors.

7.30 The above figures show that three of the five nearby hotels have more bedrooms to provide for their conference room capacity than Fanhams Hall. However, the differences between these ratios are small, whereas the two hotels that have less bedrooms than Fanhams Hall to provide for their conference capacity, Tewinbury Farm and Down Hall have a significantly higher ratio. Officers consider that the above figures demonstrate that the number of bedrooms available at Fanhams Hall compared to the conference capacity is not significantly disproportionate when compared to other nearby hotels. Officers consider that the applicant has failed to demonstrate that the existing number of bedrooms at the hotel is substantially disproportionate to their conference capacity. Should the applicant in the future demonstrate that the number of bedrooms is in fact disproportionate to the conference capacity, Officers are nevertheless not satisfied that this alone would justify a new building for 43 additional bedrooms within the Green Belt, particularly when there is no evidence that the existing business with its number of bedrooms for the conference capacity, is not profitable.

7.31 The applicant's evidence is based upon the future viability of the hotel.

Officers have no evidence to question the estimated demand for the proposed additional hotel rooms or to doubt that the proposal would result in a growth in profits for the hotel in the future. However, Officers consider that supporting the growth of the business is not a sufficient special circumstances to outweigh the harm that a development of this scale would have on the openness of the Green Belt. In recent correspondence, the applicant's agent has referred to the Manor of Groves Hotel in High Wych, where planning permission was recently granted for a new building to provide 42 additional bedrooms, under Ipa reference 3/11/0115/FP. However, in the case of the Manor of Groves, evidence was provided to demonstrate that profits had been declining each year and that the business had been operating at a loss since 2009. The Council determined, in that case, that very special circumstances existed to allow the inappropriate development within the Green Belt in order to seek to secure the retention of the existing business, together with the employment and tourism that it brings, and the future occupation and therefore the upkeep of the Listed Building. Different circumstances exist in the case of this current proposal and most importantly the business is currently profitable and therefore, based on the evidence available, Officers consider that it has not been demonstrated that there is an existing threat to the continued operation of the business, and limited weight should therefore be attached to this consideration.

The wider economic contributions of the proposal

- 7.32 The NPPF states that Local Planning Authorities should devise policies that support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors and which respect the character of the countryside. Local Plan Policy LRC10 of the Local Plan states the Council will encourage suitable tourism proposals in appropriate locations and will give favourable consideration to suitable proposals for visitor accommodation within the District. The pre-ample to this Policy states that one key factor restricting the development of tourism within East Hertfordshire is the limited availability of visitor accommodation. New build hotels are by size and nature more appropriately located within towns. However, proposals for small-scale hotel or other visitor accommodation may also be acceptable within other settlements, and the adaption and re-use of existing buildings for small-scale visitor accommodation may be acceptable in villages and the countryside.
- 7.33 Whilst both the NPPF and Policy LRC10 in principle support tourism proposals in appropriate locations and in particular Policy LRC10 recognises the need for visitor accommodation, the application site is

within the Green Belt where development other than for small-scale accommodation is not favoured by LRC10. Furthermore, the presumption in favour of sustainable development in the NPPF does not apply where a development is in conflict with Green Belt policy (para.14 NPPF).

- 7.34 The applicant has argued that the extension of Fanhams Hall would maximize its potential as an existing tourism opportunity within the District and will increase spending and foot fall into the nearby town of Ware. Officers acknowledge that the extension to the hotel may result in a small increase in employment opportunities at the site. However, as the site is an out of town location and within the Green Belt this is not a sustainable location for growth. Officers do not consider that the benefits of potential increased employment opportunities that the extension would bring would clearly outweigh the harm that the development would have upon the openness of the Green Belt. Although the applicant argues that the proposed extension would secure the retention of the existing business which provides employment opportunities within the District, there is no evidence to demonstrate that the existing business would fail without the proposed extension.
- 7.35 The NPPF states that a sequential test should be applied to planning applications for main town centre uses that are not in an existing centre. Annex 2 confirms that a hotel constitutes a main town centre use. The NPPF outlines that LPA's should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre.
- 7.36 A Need and Sequential Assessment has been submitted in support of the application. The sequential test that has been carried out looks at the town centres of Ware, Hertford and Hoddesdon and also alternative brownfield sites. A total of 39 other sites are looked at within the report. The report discounts all of these sites for various reasons relating to availability, suitability and location.
- 7.37 The applicant argues that it is Fanhams unique setting within a Listed Building, together with its existing and well established location and reputation as a quality conference and wedding destination that preclude it from being replicated elsewhere.
- 7.38 Notwithstanding the findings from the sequential test, Officers consider

that the demand for additional hotel rooms could be provided on more preferable sites within the district. However, it is not just the demand for the additional rooms that should be considered but, in addition, the availability of suitable sites for the entire hotel. Furthermore, the demand that the applicant has demonstrated for the additional rooms clearly relates to a demand for hotel rooms at a facility of this kind, being a country hotel with conference facilities and therefore it is acknowledged that a town centre location, whilst sequentially preferable, is unlikely to be able to cater for the demand that has been identified. Notwithstanding our outstanding concerns in respect of the unsuitable location of the development within the Green Belt, having had regard to the circumstances of the site, Officers consider that the sequential test that has been carried out is sufficient and that no further information is required in respect of this issue.

- 7.39 In order to support this application, the Council would need to be satisfied that the benefits of the scheme clearly outweigh the harm caused by inappropriateness and the identified harm, to the openness of the Green Belt and the lack of sustainable transport contributions. A balancing exercise must therefore be undertaken between the harm caused and the positive impacts of the scheme. Officers have undertaken that exercise and, for the reasons set out above, consider that the matters put forward in support of the development are not of sufficient weight to clearly outweigh the harm that would be caused by this development. On balance therefore, Officers accept that there are not very special circumstances in this case to justify this inappropriate development in the Green Belt.

8.0 Conclusion:

- 8.1 The proposed development forms inappropriate development within the Green Belt and the special circumstances that the applicant has argued are not sufficient to outweigh the harm that the proposed development would have upon the openness of the Green Belt. The proposed development is therefore contrary to the aims of the NPPF and Policy GBC1.
- 8.2 The applicant has failed to commit towards the provision of a financial contribution towards sustainable transport programs. The proposal would therefore be contrary to the provisions of policies TR1 and IMP1.
- 8.3 Having regard to the above considerations it is recommended that planning permission is refused for the reasons given at the head of this report.