

5f 3/12/1318/FP – Change of use of 2no. barns to workshops (B1(c) – Light Industrial) and extension to the southern barn at Warrengate Farm, Money Hole Lane, Tewin, AL6 0JD for Mr Howard Jones

Date of Receipt: 07.08.12

Type: Full – Minor

Parish: TEWIN

Ward: HERTFORD – RURAL SOUTH

RECOMMENDATION:

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

1. Three Year Time Limit (1T12)
2. Approved plans (2E10)
11747/TM/1, 11747/TM/2, 11747/TM/3, 11747/TM/4, 11747/TM/5,
HD10041/01, HD10041/02, HD10041/03, HD10041/04.
3. Matching materials (2E13)
4. Refuse disposal facilities (2E24)
5. No external lighting (2E26)
6. No external storage (5U07)
7. No external working (6N06)
8. No building shall be occupied for the use hereby permitted until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system and the results of the assessment provided to the Local Planning Authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:
 - i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - ii. include a timetable for its implementation; and

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- iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: In the interests of the management of surface water flows and in accordance with Policy ENV21 of the East Herts Local Plan Second Review April 2007 and the National Planning Policy Framework.

Directives:

1. Other Legislation (01OL)
2. You are advised that works should proceed with caution. In the event of bats being found, work must stop immediately and ecological advice taken on how to proceed lawfully.

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 GBC1, GBC9, GBC10, TR7, ENV1, ENV2, ENV16, ENV21 and ENV24 and the National Planning Policy Framework. The balance of the considerations having regard to those policies that permission should be granted.

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1.0 Background:

- 1.1 The application site is shown on the attached OS extract some 800 metres to the south of Tewin. The site comprises two utilitarian barns together with five large grain silos set within a concrete yard. Vehicular access is taken from the yard between the residential properties known as North Barn and the South Barn, into Money Hole Lane and onto the B1000 Hertford Road.

2.0 Site History:

- 2.1 There is no site history relating to the barns themselves. In terms of the wider area, under lpa 3/01/0835/FP and lpa 3/01/0836/LB permission was given for the conversion of three barns to residential use – known

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as 'North Barn', 'South Barn' and 'The Old Dairy'.

3.0 Consultation Responses:

3.1 County Highways do not wish to restrict the grant of permission.

3.2 Hertfordshire Biological Records Centre advise that the buildings are considered sub-optimal as potential roost sites for bats and that it would be unreasonable to require a bat assessment survey to be conducted. They recommend that if permission is granted that works should proceed with caution and that in the event of bats being found, work must stop immediately.

3.3 The Environment Agency has no objections to the proposal subject to a condition that no infiltration of surface water drainage into the ground be permitted without written consent.

3.4 The Councils Environmental Health Section advise that they do not wish to restrict the grant of permission.

4.0 Parish Council Representations:

4.1 Tewin Parish Council has objected to the application. It comments that it supports the neighbours objections concerned with the proximity of industrial activity and associated traffic to the Grade II listed buildings adjacent to the site. It further comments:

- The application is not compliant with GBC9(a). The buildings are not of a form, bulk and general design and materials of construction in keeping with its surroundings;
- The use is not sympathetic to the rural character and appearance of the building and they require more than minor extensions;
- The glazed frontage would be a visual intrusion;
- The application does not support diversification of an agricultural business;
- Represents inappropriate development in the Green Belt;
- Proposal would not respect the amenity of neighbouring properties

5.0 Other Representations:

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

5.2 3 letters of representation have been received (1 on behalf of 4 of the

neighbours) raising the following comments:

- Out of keeping with the rural, Green Belt environment
- Not diversification of agricultural business
- Impact to neighbours from noise, traffic generation, noxious fumes
- Future occupiers may sub-divide units and result in increased traffic and noise
- Other light industrial units available in the area would be more suitable for the use
- In close proximity to river and 2 wells
- Concerns with drainage of site and contamination
- Adverse impact to setting of listed buildings

6.0 Policy:

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

GBC1	Appropriate Development in the Green Belt
GBC9	Adaptation and Re-use of Rural Buildings
GBC10	Change of Use of an Agricultural Building
TR7	Car Parking - Standards
ENV1	Design and Environmental Quality
ENV2	Landscaping
ENV16	Protected Species
ENV21	Surface Water Drainage
ENV24	Noise Generating Development

6.2 In addition, the National Planning Policy Framework is relevant:-

7.0 Considerations:

7.1 The main issue for consideration are:

- The appropriateness of the development in the Green Belt;
- The size, siting and design of the new extension;
- The impact of the use on the amenity of nearby residential properties;
- The highway, parking and access implications;
- The impact on protected species;
- The impact on the setting of nearby listed buildings.

The appropriateness of the development in the Green Belt

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- 7.2 The proposals have been submitted as a change of use of the redundant barns to a workshop use. Further details on the application form indicate that the new use, including any change of use, is intended to fall into the B1(c) use class category and the application is therefore being considered on that basis.
- 7.3 The site lies within the Green Belt where under, policies GBC1 and GBC9, the adaption and re-use of rural buildings for various purposes, including B1 uses, may be appropriate subject to a number of criteria being met. The existing buildings although utilitarian are of a form, bulk, general design and materials of construction such that they are not considered to be dissimilar with rural buildings commonly found around the district. As a result they are considered to be in keeping with their rural surroundings.
- 7.4 Although no structural survey or similar has been submitted with the application, the buildings appear permanent and soundly constructed. It is clear from the plans that no significant structural alterations are necessary to the buildings to effect the proposed use. That is, no change for example to the roof and eaves heights and no significant demolition would be required. The buildings are modern in character as opposed to more historical rural buildings.
- 7.5 The proposed extension to the south barn does not strictly comply with the wording of policy GBC9 which supports minor extensions. However, also proposed is the removal of all but one of the existing silos on the site which are significant in size. In terms of openness it is considered that this would be beneficial to the appearance of the site. Other than the proposed extension explained above and a limited extension to the northern barn, only limited alterations are proposed to the barns to facilitate the conversion.
- 7.6 Turning to the impact of the proposed use on the character of the buildings and their surroundings, Officers are satisfied that the proposed use would not result in any significant harm to the character of the area. The alterations proposed to the buildings are limited, and the parking associated with the use is to be located to the enclosed inner courtyard, where areas of hardstanding already exist. The use will be contained within the buildings, and therefore, there would be a limited change to the character of the site and wider area. Furthermore, Officers do not consider that the proposed conversion would lead to dispersal of activity on such a scale to prejudice town and village vitality.
- 7.7 Policy GBC10 deals with changes of use proposed to agricultural buildings. The applicant sets out that agricultural use of the buildings

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largely ceased about 6 years ago in 2006. This does not appear to be disputed and indeed, the responses from residents suggest it ceased prior to that. Limited weight needs to be assigned to the issues raised in policy GBC10 as a result.

- 7.8 In terms of the principle then, the proposals could not be seen as inappropriate development either in terms of the Local Plan policies or those which now appear in the NPPF.

Size, siting and design of the new extension

- 7.9 Turning to the size, siting and design of the new extensions, I am content that these are minor extensions in the context of the existing buildings and as all but one of the silo structures are to be removed. The siting and design of the extensions are in keeping with the existing buildings, and other alterations proposed, for example the glazing, are not considered extensive or harmful to the character and appearance of the existing buildings.

The impact of the use on the amenity of nearby residential properties

- 7.10 A B1 use such as that proposed (which can include light industrial, research and development or office use) is, by definition, a use that can be carried out within a residential area, in close proximity to dwellings, without causing any undue harm on residential amenity. The sub group for which permission is sought here, namely B1(c) allows use of light industrial uses. The applicant has submitted details of the prospective occupier, however, consideration of the application must be restricted to the acceptability of the use class proposed.
- 7.11 Given that, Officers are satisfied that, given the location of the site and openings in the buildings facing into the courtyard away from neighbours, together with their relationship with neighbouring residential properties, that the proposals would not result in any undue loss of amenity as a result of impact from noise, activity, disturbance or for other reasons.
- 7.12 Considering access, there is some measure of conflict between the information from the applicant and the local residents with regard to the existence of agricultural traffic since the residential uses commenced. I have set that aside here as it is clear that, whether that traffic occurred or not, it is quite conceivable that it could have done so. In addition, in a rural area such as this, it is quite feasible that there would be a level of disturbance from agricultural traffic, including large vehicles.

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- 7.13 Against that, it is necessary to judge the impact that a B1(c) use is likely to cause in traffic generation terms and given the amount of floorspace available. It would appear unlikely that a use is conceivable that will generate unacceptable impact by virtue of traffic. One which is not intensive in terms of employees is likely to require deliveries from larger vehicles – but few of them. A use which is more employee intensive is likely to generate more vehicles – but either cars or otherwise smaller vehicles. In either case, I cannot see that a case could be made that it would be unacceptably disruptive.

The highway, parking and access implications

- 7.14 In terms of highway safety, access and parking having regard to the comments of County Highways, Officers are satisfied that the existing access arrangement is appropriate for the proposal, and adequate visibility can be achieved along the public highway. As above, I am satisfied that the proposed use would not result in a significant generation of traffic and that the local highway network will not be significantly adversely impacted by the increase in traffic generated by the use.
- 7.15 With regards to car parking, the application site has an existing hard surfaced area that is to be retained. This could easily provide for at least 10 vehicle spaces in total. The Supplementary Planning Document on Vehicle Parking in New Development indicates that the proposal would generate a maximum of 13 spaces. The number of parking spaces proposed is in line with this and therefore in this respect the proposed development is acceptable.

The impact on protected species

- 7.10 Hertfordshire Biological Records Centre has advised that the buildings would be suboptimal for bats. In terms of other protected species, given the siting and nature of the building and site, no adverse harm is anticipated.

The impact on the setting of nearby listed buildings

- 7.11 Warrengate Farm and South Barn are listed buildings. The application site buildings are located to the south and west of them, effectively to their rear. Given the size, scale and siting of the extensions and the removal of the silos proposed, I cannot see that there is any visual harm to the setting of these buildings. If anything, the removal of the silos should probably be given some weight as an improvement. The level of activity, namely the use proposed and the traffic generated could not be

seen as harmful as the buildings would originally have had an active use.

8.0 Conclusion:

8.1 Having regard to the above considerations it is considered that the proposed re-use of the buildings would constitute appropriate development in the Green Belt, and would accord with policies GBC1 and GBC9 of the Local Plan. The works proposed to the buildings are considered to be acceptable and the proposed use of the buildings and the activity associated with such uses is considered to be acceptable and would not result in any unacceptable impact on the amenities of local residents or traffic generation and highway safety. Accordingly it is recommended that planning permission be granted.