

**E/13/0321/B – The unauthorised use of part of the farmyard and part of building for car storage at East End Green Farm, East End Green, Hertford, Herts, SG14 2PD**

---

**Parish: HERTINGFORDBURY**

**Ward: HERTFORD RURAL SOUTH**

**RECOMMENDATION:**

That the Director of Neighbourhood Services, in consultation with the Director of Finance and Support Services, be authorised to take enforcement action under section 172 of the Town and Country Planning Act 1990 and any such further steps as may be required to secure the cessation of the unauthorised use.

Period for compliance: 1 Month

Reasons why it is expedient to issue an enforcement notice:

1. The development represents inappropriate development within the Metropolitan Green Belt and no very special circumstances are demonstrated to clearly outweigh the harm caused by reason of the inappropriateness or any other harm including to the openness of the Green Belt. The development fails to maintain openness and conflicts with the purposes of including land in the Green Belt. It is therefore contrary to policy GBC1 of the Easy Herts Local Plan Second Review April 2007 and the National Planning Policy Framework.
2. The development generates additional traffic on the narrow rural roads to the detriment of the use of the highway and the amenities of the rural area thereby being contrary to policy TR20 of the East Herts Local plan Second Review April 2007 and the National Planning Policy Framework.

\_\_\_\_\_ (032113B.PD)

**1.0 Background**

- 1.1 The site is shown on the attached Ordnance Survey extract. It is located within the Metropolitan Green Belt and comprises a farmyard separated from the original farmhouse and courtyard with outbuildings converted to residential properties located to the south and with its own dedicated access.
- 1.2 It was brought to the attention of the enforcement team in October 2013 that the farmyard was being used for a use not associated with

agriculture by way of the storage of motor vehicles for sale.

1.3 Following a site visit with the owners of the land, they were advised that the use of the land for the storage of motor vehicles could not be considered as ancillary to the land's primary use of agriculture and that a planning application would be required for a change of use to B8 (storage and distribution).

1.4 On the 4<sup>th</sup> August 2014, an application was submitted under LPA reference 3/14/1424/FP for the change of use of part of the farmyard and 1no bay of an existing building from agriculture to B8 (storage) use. After due consideration, the application was refused for the following reasons:

1. The proposed development would represent inappropriate development within the Metropolitan Green Belt and no very special circumstances have been demonstrated that outweigh the harm by reason of the inappropriateness or any other harm including to the openness of the Green Belt. The proposal would thereby fail to maintain openness and would conflict with the purposes of including land in the Green Belt. It is therefore be contrary to policy GBC1 of the Easy Herts Local Plan Second Review April 2007 and the national Planning Policy Framework.
2. The proposed development would generate additional traffic on the narrow rural roads to the detriment of the use of the highway and the amenities of the rural area. It would thereby be contrary to policy TR20 of the East Herts Local plan Second Review April 2007 and the National Planning Policy Framework.

1.5 At the time of writing this report, no appeal has been submitted against the refusal to grant planning permission.

## **2.0 Planning History**

2.1 The recent planning history is as follows:

3/14/1424/FP	Change of use of part farmyard and 1no bay of existing building from agriculture to storage (B8) use	Refused
3/04/2218/FP	Change of use of agricultural building to secure file storage use.	Refused

3/03/2186/FP	Change of use of agricultural building to a secure file storage use.	Refused
--------------	--	---------

### **3.0 Policy**

3.1 The relevant 'saved' policies of the East Herts Local Plan Second Review April 2007 in this case:-

GBC1 – Appropriate Development in the Green Belt  
TR20 – Development Generating Traffic on Rural Roads

3.2 The National Planning Policy Framework (NPPF) and the national Planning Policy Guidance (NPPG) are also material considerations in the determination of this matter.

### **4.0 Considerations**

4.1 East End Green Farm is located away from any village centre, in an isolated rural area, served by narrow rural lanes. The unauthorised use of the site for car storage has a material and adverse impact on the openness of the Green Belt in this location and adds unreasonable and frequent additional traffic on the single carriageway lanes, which is detrimental to the rural character of the area, the openness of the Green Belt and the amenities of local residents.

4.2 In terms of Policy GBC1 of the Local Plan, it is considered that the use constitutes 'inappropriate development' in the Green Belt and, in accordance with that policy and national planning policy guidance in the NPPF, planning permission should only be given for such development where 'very special circumstances' can be shown that 'clearly outweigh' the harm caused by inappropriateness and any other harm.

4.3 In addition to the harm caused by inappropriateness in this case, Officers consider that the use adversely affects the openness of the Green Belt and has a detrimental impact on the rural character and appearance of the area. It is further considered that no 'very special circumstances' have been demonstrated that would clearly outweigh the harm caused by reason of inappropriateness; loss of openness and adverse visual impact on the surrounding area.

4.4 Whilst some commercial re-use of the existing building may be considered 'appropriate' in this location, if it were in accordance with policy GBC9 of the Local Plan, that policy is not relevant for most of the unauthorised development in this case which largely comprises the

## **E/13/0321/B**

open storage of cars between two existing barns on the site. The use is intrusive within the Green Belt, and is detrimental to 'openness' by reason of the introduction of a commercial outdoor storage area of an urban character within an isolated rural farm and environment.

4.5 With regards to the impact in terms of highway provision, under policy TR20, the use of the site and part of a building for B8 storage is dependent on car journeys to and from the site to collect/retrieve and deliver cars. The nature of the business would therefore be more appropriately located in an urban environment, in close proximity to major roads that would facilitate the delivery of cars to showrooms and other premises, rather than located in a rural area at the end of narrow, unclassified single carriageway rural lanes.

4.6 The Highway Authority were consulted on the recent application for retrospective permission and commented that :-

"Woolmers Lane is an unclassified local access road. It is a single width carriageway for much of its length, with few passing places and limited forward visibility at points. Even a modest increase in traffic along this section of the highway may be problematic unless improvement measures are undertaken (e.g. the provision of passing places).

4.7 Local Plan policy TR20 advises that proposals that are likely to give rise to a significant change in the amount and type of traffic on local rural roads, will not be permitted where the roads serving the site are of poor provision in terms of their width, alignment and construction. Also where the development would have an adverse impact on the local environment, either to the rural character of the road/ lane or the residential properties sites alongside it.

4.8 The roads serving the site are single width, in places degrading to a track, and the additional activity at the site has an adverse impact on the character and appearance of the surrounding rural area and the amenities of the neighbouring properties, by reason of the additional traffic and vehicular trip generation.

## **5.0 Recommendation**

5.1 For the above reasons it is recommended that authorisation be given to issue and serve a Planning Enforcement Notice requiring the cessation of the unauthorised use.