

**5e 3/11/0079/FP – Conversion and extensions and alterations to existing sheds to provide 6 live work units at Monks Green Farm, Monks Green Lane, Brickendon for William Ashley and Partners**

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**Date of Receipt:** 19.01.2011

**Type:** Full - Minor

**Parish:** BRICKENDON LIBERTY

**Ward:** HERTFORD HEATH

**RECOMMENDATION:**

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

1. Three year time limit (1T12)
2. Boundary walls and fences (2E07)
3. Materials of construction (2E11)
4. Refuse disposal facilities (2E24)
5. Lighting details (2E27)
6. Contaminated land survey and remediation (2E33)
7. New doors and windows (2E34)
8. Prior to the first occupation of the development hereby approved, the parking areas shown on the approved plans shall be provided and retained at all times thereafter.

**Reason:** To ensure a high quality site layout and adequate off street parking provision for the development in the interests of highway safety, in accordance with Policy ENV1 and TR7 of the East Herts Local Plan Second Review April 2007.

9. Landscape design proposals (4P12) parts d, e, i, j, k and l
10. Landscape works implementation (4P13)
11. Live/work units (5U14)
12. No external storage (5U07)
13. No external working (6N06)
14. Approved plans (2E10) – 11/MGF/SC/01A, 11/MGF/SC/02A,

Directive:

1. Other Legislation (01OL)

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 policies GBC1, GBC9, GBC10, TR7, EDE7, ENV1, BH1, BH2 and BH3. The balance of the considerations having regard to those policies and PPG2 is that permission should be granted.

Please note that under new regulation 11D of the Town and Country Planning (fees for applications and deemed applications) (amendment) (England) Regulations 2008, a fee is chargeable of £85 per request (or £25 where the related permission was for extending or altering a dwelling house) for the discharge and/or confirmation of compliance with a condition. To avoid any unnecessary cost we would recommend that you submit all the required information for discharge of conditions in one application as the fee is payable per request.

\_\_\_\_\_ (007911FP.LP)

**1.0 Background:**

- 1.1 The Farm is sited around 1 mile to the immediate south of Hertford, as shown on the attached OS extract. The application buildings are sited within the existing farm yard and surrounded by other agricultural buildings used in connection with Monks Green Farm. They are currently used to house chickens. Due to changes in farming regulations, a larger more suitable building (ref 3/98/0762/FP) has been erected to the east of the application site to house chickens. The farm has diversified with a portable toilet company located in a building adjacent to the chicken sheds, which has a lawful B1 and B8 use.
- 1.2 The application seeks permission for the conversion, extensions and alterations of the three existing chicken sheds to provide 6 units of live/work accommodation each providing 2 bedrooms, dining/kitchen and living room, as well as an associated B1 space. The unit sizes are as follows:- 2 x 177m<sup>2</sup>, 2 x 165 m<sup>2</sup> and 2 x 167m<sup>2</sup>. All accommodation is at ground floor level.

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1.3 In each unit the B1 floorspace amounts to around 30% of the total. In respect of the required alterations, this amounts to the reduction in the length of the two outer barns by 5.5 metres and the central barn has the majority removed and is re-modelled. The two links between the barns measure 6.5 by 12 metres.

### **2.0 Site History:**

2.1 Planning permission was granted under Ipa 3/08/1739/FP for the conversion and extensions and alterations to existing sheds to create 4 live work units, including the creation of a basement. This permission remains extant.

2.2 The main changes between the extant permission and the proposal now being considered is a reduction in the extent of alterations required (the latest scheme removes the basement). This application also seeks 6 live/work units as opposed to the approved 4. Further changes are in respect of the access road to the parking area, which is now more discreet – as discussed in Para 7.9.

### **3.0 Consultation Responses:**

3.1 The Councils Environmental Health Unit have advised that any permission shall include a number of conditions relating to noise, air quality and contaminated land.

3.2 Hertfordshire Highways have commented that they do not wish to restrict the grant of permission.

3.3 The County Historic Environment Unit have commented that the proposal is unlikely to have an impact upon significant heritage assets and therefore make no specific comments.

3.4 At the time of writing the report, no comments had been received from the Councils Waste Section or the Councils Building Control Section.

### **4.0 Parish Council Representations:**

4.1 Brickendon Parish Council has made no comments.

### **5.0 Other Representations:**

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- 5.1 The application has been advertised by way of press notice, site notice and neighbour notification.
- 5.2 At the time of writing the report, no letters of representation had been received.

### **6.0 Policy:**

- 6.1 When considering the application a number of policies contained in the Adopted Local Plan must be taken into account. These include:

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  
EDE7: Live/Work Units  
ENV1: Design and Environmental Quality  
BH1, BH2 and BH3 relating to archaeology.

### **7.0 Considerations:**

- 7.1 In determining this application it is necessary to consider whether the development constitutes appropriate development within the Green Belt; whether the principle of the conversion is acceptable and; whether the proposal would have a detrimental impact on highway safety, visual amenities or neighbour amenity impacts.

#### **Principle of development**

- 7.2 The site lies within the Metropolitan Green Belt, an area of development restraint where planning permission will not be given for the construction of new buildings or for changes of use, with limited exceptions. The adaptation and re-use of agricultural buildings is one of these listed exceptions and may be appropriate development subject to being in accordance with Policies GBC9 and GBC10.
- 7.3 Policy GBC9 states that proposals for the adaptation and re-use of agricultural buildings for a business or other purpose compatible with the rural area will be permitted provided that all the following criteria are met:
- a) The existing building is of a form, bulk, general design and materials of construction such that it is in keeping with its surroundings:

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- (b) The building is permanent and is soundly constructed, not requiring complete or substantial reconstruction before adaptation to a new use;
- (c) The proposed use is sympathetic to the rural character and appearance of the building, not requiring extensive alterations or anything other than minor extensions to accommodate it;
- (d) Conversion would not lead to dispersal of activity on such a scale as to prejudice town and village vitality;
- (e) The proposed use is sympathetic to its surroundings not resulting in the creation of visually intrusive hard standings or visually distinct curtilages or involving significant levels of outdoor working and storage.

7.4 It is considered that the buildings are of an appropriate form, bulk and design in keeping with the surroundings. The buildings appear of sound construction although some alterations are required to accommodate the proposed use, in terms of entrance doors and windows for lighting and access purposes, as well as the introduction of a link extension. Whilst the general level of openings proposed is considered to be modest to the original buildings, the link elements are not considered in themselves to be a 'minor' extension. The application does however propose the removal of two large silos that currently are prominent within the Green Belt. The removal of these structures with a link extension of a reduced height to the silos is considered to have a lesser impact on the character and appearance and openness of the Green Belt.

7.5 In respect of the proposed use as live work units, this is considered to comply with Policy GBC9 which seeks conversion for business and other compatible uses before considering residential. The application is further supported by policy EDE7 which specifically considers live/work units. The proposal complies with EDE7 as it has a separate functional workspace which is considered capable of accommodating a range of B1 uses. Indeed in line with best practice the B1 use amounts to a floorspace of 30% of the unit. Further compliance is achieved as the workspace is at street level and would have no significant impact on neighbouring amenity, as discussed further at Para. 7.10. The increase from 4 to 6 units is considered to still be of an appropriate scale. Furthermore the proposed uses would not be seen to prejudice town or village vitality and the nature of the uses would not require outdoor working, which is proposed to be conditioned in any event.

7.6 It is also considered that the proposal complies with Policy GBC10

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(Change of Use of an Agricultural Building), wherein the building was originally erected to serve a genuine agricultural need and the proposal is seen to diversify the agricultural business of Monks Farm.

- 7.7 The above Local Plan Policies are supported by Planning Policy Statement 7: Sustainable Development in Rural Areas (2004) which outlines the Government's objectives for rural areas and provides guidance for Local Planning Authorities in delivering these objectives through the operation of the planning system. It states that planning authorities should support a wide range of economic activity in rural areas, and should set out in their Local Development Frameworks their criteria for permitting economic development in different locations, including future expansion of business premises to facilitate healthy and diverse economic activity in rural areas.

#### Highways

- 7.8 Although no formal comments have been received to date from County Highways, they previously raised no comments to the 4 live work units. Officers do not anticipate that the increase to 6 units would impact adversely upon the highway network. The increase in traffic is considered not to have a significant adverse effect on the local rural environment.
- 7.9 The proposal provides for 18 parking spaces, which equates to 3 spaces per unit. This is considered acceptable for each 2 bed live/work unit and associated B1 use in accordance with the Councils SPD. The layout of parking and access is acceptable. In respect of the access this has been amended to that approved on the 2008 application, shown now to access to the north. This access provides a shorter, more convenient access to the parking area, and is not an incursion into the countryside, unlike the previous proposal.

#### Neighbouring amenity

- 7.10 In respect of neighbours amenity it is considered that the location of the site to nearby residential properties and other businesses is of a distance such that there would be no adverse impact on their amenity from noise disturbance or similar, and that any impact would not be significant when considering the previous level of traffic generation and noise created from these units and the wider farm itself. However, as stated previously, a condition preventing outside working is recommended to prevent any unacceptable neighbour amenity impact.
- 7.11 In respect of the levels of amenity that the development will provide for

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future occupiers, I am satisfied that the layout of the units does offer an acceptable level of amenity. Indeed the proximity and relationship of the 'work' element to the 'live' is a similar relationship to other properties on the farm.

- 7.12 The layout of the development provides for an internal communal landscaped courtyard. This provides the occupiers with adequate external amenity space and is well designed in its layout and design. A landscaping condition has been imposed to ensure that the hard and soft landscaping to this courtyard (and to the parking area) is appropriate to its context.

### **8.0 Conclusion:**

- 8.1 To conclude, I consider that the development is acceptable. The principle of the conversion for live/work units is established by the previous 2008 permission and the level of alterations and extensions proposed is acceptable. The proposal would result in a good quality scheme that would not have an adverse impact on the character and appearance of the Metropolitan Green Belt. The development would not create an adverse impact upon the amenity of users of the building or neighbouring buildings amenity nor would it create an adverse highway safety impact. The proposal has been considered with regard to the policies of the Development Plan (East of England Plan, Hertfordshire County Structure Plan and East Herts Local Plan). The balance of the considerations having regard to those policies is that planning permission should be granted subject to the conditions set out at the commencement of this report.