

5f **3/11/1042/FN – Demolition of redundant pig rearing buildings and construction of four short term letting units at The Grove, Mill Lane, Anstey for Mr Marchant**

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**Date of Receipt:** 10.06.11

**Type:** Full - Minor

**Parish:** ANSTEY

**Ward:** BRAUGHING

**RECOMMENDATION:**

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

1. Three year time limit (1T121)
2. Approved Plans (2E10) – SA9; 060824.06 A; 060824.07 A
3. The use of the barn hereby permitted shall be for holiday and short term letting accommodation only and for no other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 2005.

**Reason:** To prevent the introduction of an inappropriate use in the Rural Area which would be contrary to policies GBC2, GBC3 and GBC8 of the East Herts Local Plan

4. None of the units hereby permitted shall be occupied by any person or persons for more than 3 months in any 12 month period, and neither shall any person or persons occupy more than one unit on the application site for more than 3 months within a 12 month period.

**Reason:** To prevent the introduction of an inappropriate use in the Rural Area which would be contrary to policies GBC2, GBC3 and GBC8 of the East Herts Local Plan

5. Materials of construction (2E113)
6. Landscape design proposals (4P124) a) c) i) j) k) and l)
7. Landscape works implementation (4P133)

**Directive:**

1. A survey of the buildings to be demolished should be undertaken to identify the presence of any asbestos on the site. If, during dismantling works, asbestos cement is found it should be dismantled carefully, using water to dampen down, and removed from the site. If unbounded

cement is found, the Health and Safety Executive should be contacted.

**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, Minerals Local Plan, Waste Local Plan and East Herts Local Plan) and in particular policies GBC2, GBC3, GBC8, ENV1 and ENV2. The balance of the considerations having regard to these policies, the grant of permissions under LPA references 3/07/1358/FP and 3/08/0774/FP and Government Guidance contained within PPS7 - Sustainable Development in Rural Areas in this case is that planning permission should be granted.

\_\_\_\_\_ (1042011FN.FM)

**1.0 Background:**

- 1.1 The application site is shown on the attached OS extract. It is situated approximately 800metres to the east of the main settlement of Anstey. It is an irregular shaped parcel of land forming part of the larger agricultural holding of The Grove, with an existing access onto the main road.
- 1.2 The application site itself includes a 2 storey barn on the eastern side of the farmyard, which has planning permission for and is being operated as a bed and breakfast unit. To the west of this is a detached single storey office and laundry room used in connection with the bed and breakfast use. To the south of these buildings are the redundant pig buildings that are subject to this application. They are utilitarian livestock buildings of concrete block and treated timber construction.
- 1.3 The site is relatively isolated, with the existing residential property of The Grove immediately to the north of the application site, with the nearest neighbouring residential property sited 150 metres to the northwest. The remainder of the surrounding area is characterised by agricultural fields, used for hay and sheep grazing.
- 1.4 The application proposes to demolish the existing redundant pig rearing buildings and construct two single storey buildings in a courtyard formation, to be subdivided internally to create 4x2 bedroom units of short term letting accommodation on a self-catering basis. The separate L shaped building measures a length of 17.65metres by 12.4metres, whilst the block designed as a U shape measures 18.5metres by 7.6metres. The depths of the buildings would be 4.9metres, with an eaves height of 2.4metres and a maximum ridge

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height of 4.6metres.

### **2.0 Site History:**

- 2.1 Members may recall that planning permission was previously granted within LPA reference 3/08/0774/FP by the Development Control Committee for the same proposal as within this application. This current application seeks to renew that previous approval which expired on the 2<sup>nd</sup> July 2011.
- 2.2 Prior to this, in October 2007, planning permission was granted by the Development Control Committee for the demolition of redundant pig rearing buildings and the construction of four short term letting units, LPA reference 3/07/1358/FP. LPA reference 3/08/0774/FP later sought alterations to the ridge height of the proposed building to increase it to 4.6metres in height in comparison to the maximum height of 3.7metres that was previously approved in 2007.
- 2.3 A previous application, LPA reference 3/99/1133/FP for the proposed conversion of redundant farm buildings to B1 use was refused on the grounds of Rural Area policy; unsuitability of the buildings for a re-use; impact upon the viability of other centres and unacceptable traffic implications.
- 2.4 Following this refusal, an application LPA reference 3/03/1923/FP for the change of use of one of the larger barns to provide bed and breakfast accommodation was granted planning permission. This has since been implemented.
- 2.5 The property to the north of the site known as The Grove applied under LPA reference 3/95/0305/FP for the removal of the agricultural tie on the existing property. This permission was refused.

### **3.0 Consultation Responses:**

- 3.1 Environmental Health have commented that, prior to any works commencing, an asbestos survey should be carried out on site. Environmental Health also recommend times of operation for the construction and demolition of the site. With regard to air and noise pollution, they comment that there should be no on-site bonfires for any purpose and the developer should provide details of the measures used to mitigate noise problems at the site and for noise associated with transport movements at the site.
- 3.2 The Environment Agency have commented that the scheme would

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have a low environmental risk and they are unable to make a full response.

3.3 Hertfordshire Biological Records Centre have viewed the bat report submitted in November 2006 and do not have any ecological concerns regarding the proposal.

3.4 County Highways do not wish to restrict the grant of permission and comment that the traffic generation from 4 units is not significant, there is ample on-site parking and turning space is available and an adequate access onto the public highway exists.

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

4.1 Anstey Parish Council have commented that they raise no objection to the proposed development.

#### **5.0 Other Representations:**

5.1 The applications have been advertised by way of site notice and neighbour notification. No letters of representation have been received.

#### **6.0 Policy:**

6.1 The main policy considerations relevant to this application are East Herts Local Plan Second Review April 2007 policies GBC3: Appropriate Development in the Rural Area, GBC8: Rural Diversification, ENV1: Design and Environmental Quality, ENV2: Landscaping, and LCR10: Tourism.

#### **7.0 Considerations:**

##### Principle of Development

7.1 It is important for Members to firstly note that this application does not differ from that approved most recently in 2008. The 2008 application and this current application differ slightly from the 2007 permission, with an increase in the height of the proposed buildings. No other alterations are proposed in terms of design, appearance or layout of the buildings to the previously approved permissions.

7.2 Therefore, the previous grant of permission within LPA reference 3/07/1358/FP established the principle of the development, the design layout, and appearance of the proposed building, the proposed use, traffic generation and parking. Furthermore, the increase in height of

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the proposed units has been considered and approved more recently within LPA reference 3/08/0774/FP. As there has been no change in policy; the circumstances at the site have not changed; and this application is the same as previously permitted, officers therefore consider that this current permission to renew LPA reference 3/08/0774/FP to be acceptable.

#### **The impact on the amenities of neighbouring residential occupiers**

- 7.3 The proposed buildings are set some distance from nearby residential properties, and therefore the proposed scheme would not result in any impact to the occupiers of such properties.

#### **Other Matters:**

- 7.4 It is noted that the Council's Environmental Health Section have requested conditions to be attached to any grant of permission. These suggested conditions were not placed on the grant of permission in 2007 or in 2008. As the application does not differ from the most recently approved scheme, Officers do not consider that it would be reasonable to place these conditions on any subsequent grant of permission. Furthermore, it is not considered that they would, in any event, meet the tests of Circular 11/95.

#### **8.0 Conclusion:**

- 8.1 In conclusion, the principle, design, scale and layout of the development has already been agreed by the grant of the 2007 and 2008 applications. It is considered that the proposed buildings would not be unduly prominent in this rural landscape and would have no adverse impact upon neighbour amenity. Accordingly, it is recommended that the application be approved subject to the conditions set out at the commencement of this report.