

5c 3/11/1103/FP – Change of use of Aisled Barn to mixed use (D1 Art Gallery and sui generis wedding ceremony/reception use), change of use of the conservatory in Dane Tree House to mixed use (B1 Office and sui generis wedding ceremony/reception use) and associated car parking at Dane Tree House, Perry Green, Much Hadham, SG10 6EE for The Henry Moore Foundation

Date of Receipt: 20.06.2011

Type: Full – Major

Parish: MUCH HADHAM

Ward: MUCH HADHAM

RECOMMENDATION:

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

1. Three year time limit (1T12)
2. Approved plans (1141/SD/100, 1141/PD/200) (2E10)
3. The use of the Aisled Barn and the conservatory at Dane Tree House for wedding ceremonies and receptions hereby permitted shall cease on or before two years after the date of this decision.

Reason: To enable an accurate assessment to be made of the impact of the development on the amenities of the area.

4. The car parking areas as indicated on Plan No. 1141/SD/100 shall only be used in conjunction with the use of the Aisled Barn and the conservatory of Dane Tree House hereby approved. The car parking areas pursuant to this condition shall be permanently maintained as soft landscaped areas, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of the openness and rural character of the site and its surroundings, in accordance with the saved policies GBC3, ENV1 and ENV2 of the East Herts Local Plan Second Review April 2007.

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 the saved policies of the East Herts Local Plan Second Review April 2007), and in particular

policies GBC3, TR7, ENV1, ENV2 and Planning Policy Statement 5: Planning for the Historic Environment. The balance of the considerations having regard to those policies and the limited harm associated with the proposed development is that permission should be granted.

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1.0 Background:

- 1.1 The application site is located within the Rural Area Beyond the Green Belt within the settlement of Perry Green as shown on the attached OS extract.
- 1.2 The application site is part of the wider Henry Moore Foundation (The Foundation) and comprises of a large area of agricultural land, woodland and a number of residential and other buildings which accommodate museum, studio, gallery and storage spaces associated with The Foundation. These areas are also open to visiting members of the public. The site itself, which is situated adjacent to the Grade II* Listed Building known as Hoglands, is occupied by Dane Tree House to the east of the site and the Aisled Barn to the west. The remainder of the site is open gardens and woodland which is used to exhibit sculptures by the late Henry Moore. There is an access track which runs along the northern and western boundary of the site which leads to the Aisled Barn. There is existing car parking adjacent to Dane Tree House and the Aisled Barn which could accommodate approximately 16 vehicles. It should also be noted that there is vehicular access from the main track to the adjacent field to the west which the applicant has indicated is occasionally used as overflow parking for up to 84 vehicles. There are mature trees and hedgerows along the boundary of the site which screens the exhibits and other buildings from the surrounding area and there is no proposed change to the landscape features within the site.
- 1.3 The current proposal is for the change of use of the Aisled Barn to a mixed use comprising of D1 Art Gallery and wedding ceremony/reception (sui generis) use; the change of use of the conservatory in Dane Tree House comprising of B1 Office and wedding ceremony/reception (sui generis) use. The outdoor gardens would also be used in association with the wedding ceremony/reception use and the field within the western part of the site would be used intermittently for car parking associated with the mixed uses of the Aisled Barn and Dane Tree House.
- 1.4 It has been indicated that The Foundation have used the Aisled Barn,

3/11/1103/FP

the conservatory at Dane Tree House and the surrounding gardens intermittently for weddings over the last 6 to 7 years. The Foundation is now looking to formalise this use to enable wedding ceremonies and receptions for up to 180 guests to take place on a more regular basis. The existing use of the two buildings for D1 Art Gallery and B1 Offices would continue alongside the proposed sui generis use.

2.0 Site History:

2.1 Planning permission was granted for an extension to the existing W.C. and kitchen at Dane Tree House together with the provision of new car parking under LPA reference 3/88/1480/FN. More recently planning permission was granted for internal modifications to Dane Tree House and extension of the existing building to provide entrance space and environmentally controlled store room (LPA Ref: 3/00/0743/FP). There was also planning permission granted on the site for the rebuilding of a barn (LPA Ref: 3/80/1346/FP), which is now known as the Aisled Barn.

3.0 Consultation Responses:

3.1 County Highways does not wish to restrict the grant of permission and comments that, given the existing use of the buildings and current vehicle access, parking and traffic generation this application to regularise the use as a wedding venue is acceptable in a highway context.

4.0 Parish Council Representations:

4.1 No comments have been received from Much Hadham Parish Council at the time of writing this report.

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:

3/11/1103/FP

GBC3	Appropriate Development in the Rural Area Beyond the Green Belt
ENV1	Design and Environmental Quality
ENV2	Landscaping
TR7	Car Parking - Standards

6.2 In addition, the following National policy guidance is relevant to the considerations of this application:-

Planning Policy Statement 5: Planning for this Historic Environment

7.0 Considerations:

7.1 The key considerations in the determination of this application are as follows:

- The principle of the proposed change of use in the Rural Area;
- The impact of the proposed change of use on the amenities of local residents;
- Highways/ access considerations;
- The impact of the proposal on the setting of the nearby listed building.

Principle of Development

7.2 The application site is situated within the Rural Area Beyond the Green Belt wherein permission will not be given for the construction of new buildings or for changes of use other than for those purposes as specified within Policy GBC3. The proposed change of use would not fall within one of the specified developments or uses as outlined in the Policy, thereby forming a departure from the Local Plan.

7.3 The preamble to Policy GBC3 states that the Rural Area is a significant rural resource. The development strategy is to concentrate and direct development to the main settlements. Other settlements have also been selected where limited development may be appropriate to maintain the vitality of the area. However, development in smaller settlements, such as Perry Green, will be accommodated only to support facilities and services needed and to meet the employment and housing needs for that settlement and its surroundings.

7.4 It is considered that the application site is part of the wider Henry Moore Foundation which undertakes a range of activities including the storage of artwork, research centre, gallery and museum exhibitions. This

attracts a significant number of visitors, including school groups, during the open season from April to October. It is acknowledged that the proposed use of the Aisled Barn and the conservatory at Dane Tree House for wedding ceremonies and receptions would be likely to generate additional noise and activities within the site. However, The Foundation has intermittently held wedding receptions for the past 6 or 7 years which it is considered has not resulted in an unacceptable intensification of the existing use of the site or increased noise, disturbance or vehicles movements to any significant extent. Furthermore, it is considered that the proposed activities associated with the mixed use would be subject to extra control under the Licensing Act 2003 in terms of late night music, entertainment and food/refreshments.

- 7.5 It is acknowledged that the applicant has indicated that the Aisled Barn and the conservatory at Dane Tree House would be used intermittently for wedding ceremonies and receptions, however, the likely frequency of this use has not been clarified. Whilst it is considered that the intermittent use of these facilities for wedding ceremonies and receptions would be acceptable, it is considered that a more regular use of the facilities could have the potential to result in an intensification of the use of the site which in turn could be detrimental to the general amenity of the area. It is therefore considered that a temporary permission should be granted to enable the applicant to trial the use of these facilities for wedding ceremonies and receptions whilst enabling the Council to retain control over the proposed use in the future, in the interest of the general amenity of the site and its surroundings.
- 7.6 It is also noted that the existing car parking within the site would be utilised and whilst the proposed change of use may lead to increased use of the western field for overflow parking, it is considered that the proposals do not include the hard surfacing of this area, therefore the openness of this part of the site would be maintained. However, in the interest of the openness and rural character of the site and its surroundings it is considered that a condition should be imposed to ensure the car parking is used in conjunction with the mixed uses of Dane Tree House and the aisled Barn only and that it should not be hard surfaced without the permission of the Local Planning Authority.
- 7.7 It is therefore considered that although the proposed change of use would form a departure from policy, having regard to the considerations outlined above, it is considered that the proposal would enable the diversification of a locally significant rural resource. Furthermore, the proposed change of use would not in itself result in a level of activity that would be detrimental to the openness and rural character of the site

3/11/1103/FP

and its surroundings. These are material considerations which, in the opinion of Officers, are sufficient to warrant a departure from policy in this case.

The impact of the proposed change of use on the amenities of local residents

- 7.8 Dane Tree House and the Aisled Barn are situated within the wider Henry Moore Foundation which comprises of large area of open fields, gardens and non-residential buildings. As such, it is considered that the part of the site where the proposed mixed uses would take place is situated over 60 metres away from the nearest residential properties known as Elmwood and The Chase to the north, Bourne Cottage to the south and Gildmore to the east. Furthermore, the application site is well screened by mature trees and landscaping which screen the existing buildings from the surrounding area.
- 7.9 As outlined earlier in the report, a license for the use will also be required under the Licensing Act. Such a license will provide further control over the use of the buildings particularly in terms of hours of operations. It is therefore considered that having regard to the distance to nearby neighbouring properties and the provisions of the Licensing Act the proposed change of use would not adversely impact upon the amenities of nearby residential occupiers.

Highways/ access considerations

- 7.10 It is noted that County Highways consider that the proposed change of use is acceptable in a highway context given the existing use of the buildings and current vehicle access, parking and traffic generation arrangements. It has been indicated that there would be 100 car parking spaces available within the site. Officers consider that this would be a reasonable level of car parking for this type of development and, as outlined above, there is existing vehicular access to the development and, traffic generation will not be likely to impact upon highway safety and capacity.

The impact of the proposal on the setting of the nearby listed building

- 7.11 It has been noted that the application site is situated adjacent to the Grade II* Listed Building known as Hoglands, which is the former home of the late Henry Moore and is now occupied as a museum. Whilst it is acknowledged that this building and its setting has historic significance, it is considered that the proposed change of use would not result in the creation of additional development or an increase in activities that would

be detrimental to the setting of the listed building.

8.0 Conclusion:

- 8.1 In summary, it is considered that the proposed change of use would not be detrimental to the openness and rural character of the site and its surroundings. It is also considered that the proposal would not be likely to result in a level of activity that would be harmful to the amenities of nearby residential occupiers and there would be sufficient access, parking and services arrangement to sufficiently accommodate the diversification of the existing site. In particular, it is considered necessary to impose a temporary time limit condition so that an accurate assessment can be made of the frequency of the use and its impact on the amenities of the surrounding area.
- 8.2 It is therefore considered that there are circumstances in this case to allow permission to be granted contrary to Policy GBC3 of the East Herts Local Plan, and it is recommended that permission be granted subject to the conditions set out above. In particular, it is considered necessary to impose a temporary time limit condition so that an accurate assessment can be made of the frequency of the use and its impact on the amenities of the surrounding area.