

UTT/2329/11/FUL – (HATFIELD BROAD OAK)
(call-in request by Councillor Artus if recommended for refusal)

PROPOSAL: Single storey extension to existing farm office for use as consulting rooms and office for physiotherapy business (D1 use).

LOCATION: Town Farm, Old Street Hill, Hatfield Broad Oak

APPLICANT: Mrs N Robinson

AGENT: Lawrence Beckingham Field LLP

GRID REFERENCE: TL 539-163

EXPIRY DATE: 13 January 2012

CASE OFFICER: Mr C Theobald

1.0 NOTATION

1.1 Outside Development Limits.

2.0 DESCRIPTION OF SITE

2.1 The application site is situated to the west of Hatfield Broad Oak village on the southern side of the B183 towards Hatfield Heath and comprises the frontage area of an established pig farming unit containing a range of intensive livestock buildings and associated hardstanding areas. A relatively new traditionally designed single storey pantiled and black weatherboarded farm office having a rectangular footprint of approximately 80sqm, a ridge height of 3.9 metres and incorporating a front roof canopy used in association with the farming operations at Town Farm is located towards the front boundary of the site with associated informal parking on a large enclosed concrete apron. The site is partially screened from the road frontage by a line of deciduous hedging and a small artificially created low bank with additional planting. A modern agricultural dwelling lies to the immediate south-west of the site on lower ground, whilst fields lie to the rear extending down to Pincey Brook.

3.0 PROPOSAL

3.1 This revised application seeks a reduction in the overall footprint of a proposed extension to the existing farm office to be used as treatment rooms with associated reception area, staff kitchen and WC's in association with a specialist physiotherapy practice (existing adjoining farm office to remain). The extension would be formed at right angles off the western gable end of the farm office running along the same ridgeline at 3.9 metres with extended roof canopy, would have a reduced rectangular footprint of 67sqm and would be clad with pantiles and weatherboarding on a brick plinth to match the existing building. The extension would have windows along its west (outside facing) and east (courtyard facing) elevations. Parking for the proposed practice would be provided on the existing concrete apron alongside parking for existing farm employees, whilst the existing vehicular farm entrance into Town Farm would be used.

4.0 APPLICANTS CASE

4.1 It is stated that the revised application has now tried to reduce the reasons for refusal for previous application UTT/1561/11/FUL by reducing the overall volume of the proposed extension and reducing the number of physiotherapy rooms from three to two.

4.2 Applicant's supporting business case (Summary):

- Holisticare opened in Hatfield Broad Oak in 2006 providing independent physiotherapy to patients in the local area. The practice specialises in Myofascial Release, a speciality developed in America and there are relatively few therapists in the UK that are trained to do it
- The applicant qualified as a physiotherapist in 1993 and lives with her family in Hatfield Broad Oak. The number of patients has doubled over the past year, meaning there is too much work for one therapist
- In January 2012, the applicant will have another therapist working with her, enabling the business to continue growing
- The new premises would also allow other therapists such as reflexologists, acupuncturists and podiatrists to work with them, which would widen the service being provided to the local community, including disabled patients and provide employment to local people. The new building would be provided on a 10 year lease
- The business relies heavily on local personal recommendation, which comes from having a locally known therapist.

The application is supported by information showing patient location and referral sources and also by personal testimonials from a local GP and local footballer supporting the expansion of the applicant's business.

Design & Access Statement: "The proposed building would be designed in the local barn vernacular and would form a courtyard setting away from the road. Level access would be provided. The existing frontage hedgerow would be enhanced".

5.0 RELEVANT SITE HISTORY

- 5.1 Planning permission was refused in 2008 for a proposed single storey farm office for Town Farm on the grounds that insufficient justification had been provided by the applicant (Milne) to justify a new building within the open countryside and as the proposed building by reason of its overall size and prominent position would result in a dominant element of built form and visual intrusion which would be harmful to the character of the site and surrounding countryside contrary to ULP Policies S7 and GEN2 (UTT/0709/08/FUL refers -appeal withdrawn). Revised application approved in 2008 also following applicant agricultural justification for the proposed building and following a significant reduction in the scale of the building. The farm office has subsequently been built and is being used in association with the farming operations on the site.
- 5.2 Planning permission was refused on 23 September 2011 for the erection of an extension to the farm office as built to be used as physiotherapy consulting and treatment rooms with associated office on the grounds that it was considered that the proposal was unsatisfactory due to its overall size (see design policy objection to original farm office proposal above before size modification) and as insufficient justification had been put forward by the applicant to justify why the proposed extension facility for its intended purpose needed to take place at the site where the proposed use was unrelated to agricultural operations at the site contrary to ULP Policy S7 and relevant local policy (UTT/1561/11/FUL).

6.0 POLICIES

6.1 National Policies

- Planning Policy Statement 1: Delivering Sustainable Development
- Planning Policy Statement 4: Planning for Sustainable Economic Growth
- Planning Policy Statement 7: Sustainable Development in Rural Areas

- Policy E2: Provision of Land use for Employment
- Policy ENV2: Landscape Conservation

6.3 Essex Replacement Structure Plan 2001

- No relevant policies

6.4 Uttlesford District Local Plan 2005

- ULP Policy S7
- ULP Policy GEN1
- ULP Policy GEN2
- ULP Policy GEN8

7.0 PARISH COUNCIL COMMENTS

7.1 No objections.

8.0 CONSULTATIONS

HSE: (Gas pipeline)

8.1 Response not received.

ECC Ecology Officer

8.2 The proposed extension would be onto a building which does not meet the UDC criteria to require a bat survey and there is no evidence presented to suggest that bats might be disturbed. It is accepted as reasonable that a bat survey is not required for this application. However, modern buildings have been known to be used for bats, in particular within roof features, and the work proposed includes extending the existing roof structure. It is therefore recommended that a bat informative note be placed on any planning permission granted.

9.0 REPRESENTATIONS

9.1 None received. Notification period expired 15 December 2011.

10.0 APPRAISAL

The main issues to consider in the determination of the application are:

- A Design (ULP Policy GEN2)
- B Whether the proposed building extension and its intended use would be acceptable within the countryside (ULP Policy S7)
- C Whether access and the level of parking to be provided would be satisfactory (ULP Policies GEN1 and GEN8)

A) Design

10.1 In design terms, the proposed extension has been physically reduced in scale from the previously refused scheme under UTT/1561/11/FUL and where the number of proposed consulting rooms has been reduced from three to two and would compliment the existing farm office to which it would be attached at right angles in terms of design, scale, appearance and use of external materials. The proposed development would not have any adverse effect on the reasonable occupation and enjoyment of any residential property as the nearest property to the site is located some 85 metres away to the south-

west. No specific design objections are therefore raised to the proposal under ULP Policy GEN2.

B) Whether the proposed extension and its intended use would be acceptable development within the countryside

- 10.2 The main consideration with the current revised application is whether or not it would be appropriate to grant planning permission for the proposed development as applied for at this rural farm location outside development limits as the application does not represent the re-use of an existing rural building which would otherwise be considered under different local plan policy criteria and where the proposal should be treated for all intents and purposes as a proposed new building in the countryside under ULP Policy S7 as the proposed use of the "extension" would be unrelated to the existing pig farm operations run from this site.
- 10.3 The applicant has put forward the case that suitable alternative premises are required for her specialist physiotherapy practice as her business is expanding and that the building proposed for this location to accommodate the business would be ideal for her requirements close to her client base within and around Hatfield Broad Oak. However, the site lies in open countryside and it is considered that the proposal would be contrary to ULP Policy S7 which states that the countryside will be protected for its own sake and that planning permission will only be given for development that needs to take place there or is appropriate to a rural area (such as farming operations). Whilst the applicant's reasons for relocation/expansion are noted, it is considered that the proposed use is not appropriate to a rural area and that the need for the business to be relocated to this site has not been demonstrated. As such, it is further considered that it is not appropriate to treat the applicant's proposal and personal circumstances as a rural exception case if ULP Policy S7 is to be consistently applied across the district.
- 10.4 Whilst PPS4 and the government's recently issued "Draft National Planning Policy Framework: Consultation" document seek to promote economic growth through sustainable development, PPS7 states that new development within the countryside shall be properly controlled and only granted where it can be demonstrated that it would not cause harm to the character and appearance of the countryside. This advice is echoed by PPS4, which states that economic development should be strictly controlled in open countryside away from existing settlements where the emphasis should be on rural building conversion, including farm building conversion and diversification, rather than on new development. In this respect, it is considered that it would not be sustainable to relocate the applicant's business to this rural site outside of the village between settlements and that the proposal would therefore not be consistent with national policy advice in this respect.

C) Whether access and the level of parking provided would be satisfactory

- 10.5 The site has an established wide farm access onto the B183 and it is considered that the level of traffic movements likely to be generated by the proposal would not undermine highway safety at this location and that the proposal would not be contrary to ULP Policy GEN1. The site has a large concrete hardstanding in front of the existing farm office used for farm relating parking. The layout drawing for the proposal shows that 5 (No.) parking spaces, including a disabled space, would be provided close to the extension and this level of parking would be acceptable for the use proposed and could be accommodated at the site on the apron in addition to the existing farm parking arrangements. No parking objections are therefore raised under ULP Policy GEN8.

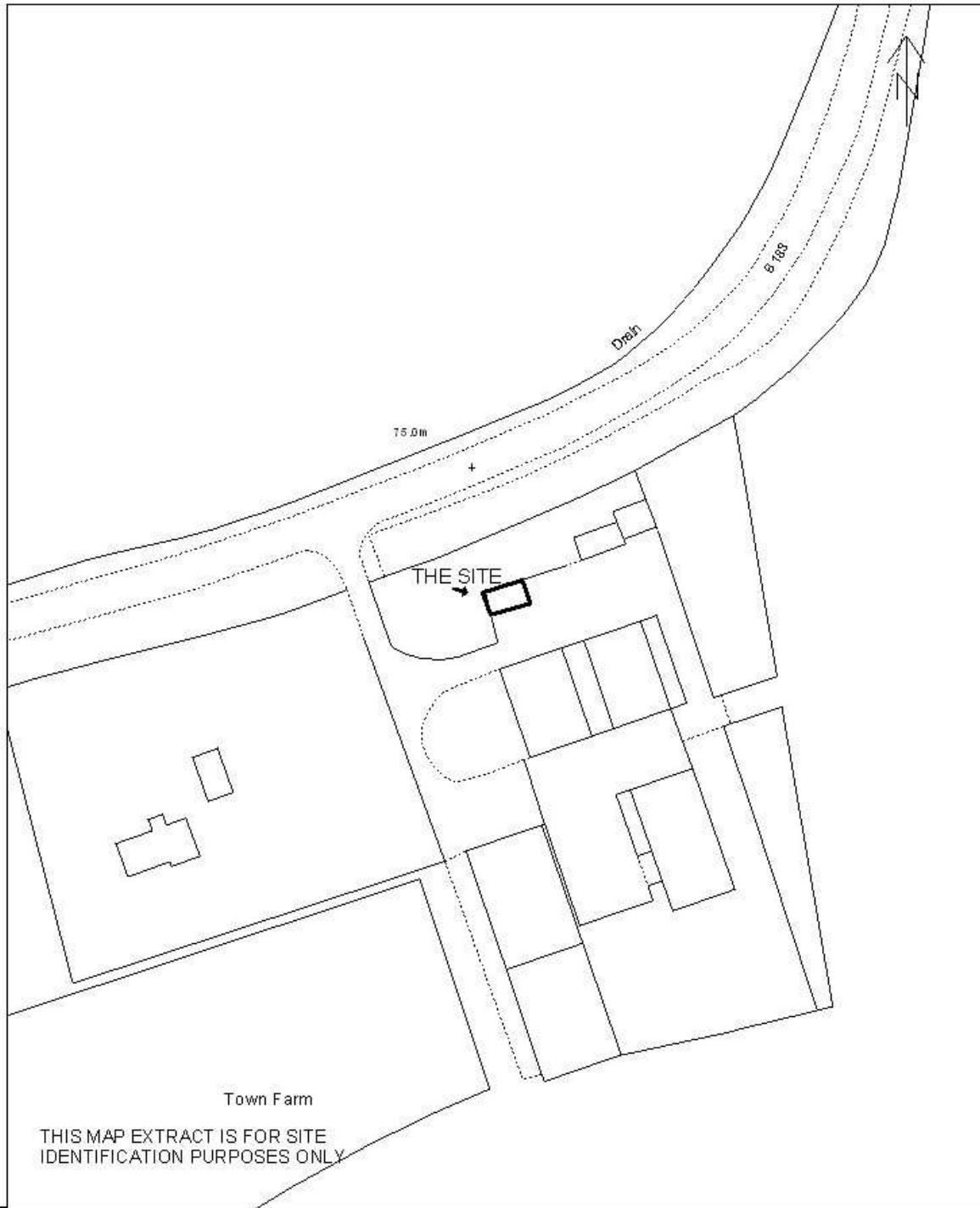
11.0 CONCLUSION

- 11.1 The following is a summary of the main reasons for the recommendation:

- A The proposal in its reduced revised form would be appropriate in terms of its design, scale, appearance and use of external materials and would be acceptable under ULP Policy GEN2;
- B However, the proposed development at this rural location as a new building facility for use as client consulting rooms for a local physiotherapy business unrelated to the existing farming operations run from the site would amount to inappropriate development in the countryside where demonstrable need has not been shown contrary to ULP Policy S7 and would also be contrary to relevant national planning policy advice;
- C Access and the level of parking shown for the proposed use would be acceptable under ULP Policies GEN1 and GEN8.

RECOMMENDATION – REFUSAL

- A The proposal in its reduced revised form would be appropriate in terms of its design, scale, appearance and use of external materials and would be acceptable under ULP Policy GEN2;
- B However, the proposed development at this rural location as a new building facility for use as client consulting rooms for a local physiotherapy business unrelated to the existing farming operations run from the site would amount to inappropriate development in the countryside where demonstrable need has not been shown contrary to ULP Policy S7 and would also be contrary to relevant national planning policy advice;
- C Access and the level of parking shown for the proposed use would be acceptable under ULP Policies GEN1 and GEN8.



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