

1) UTT/0454/12/FUL & 2) UTT/0455/12/LB (LT HALLINGBURY)

(Referred to Committee by Cllr Artus - Reason: Applications been refused in the past and having visited the site I do not feel the conservation aspects have been sympathetically addressed, nor the benefit in renovating what is a dilapidated building, nor the benefits of employment and service to the community. I feel that a pragmatic approach needs to be taken and historically the approach has not been one of considering all of the issues and benefits.

I have been and will lend my support to this application as I feel the application has considerable merits that should be considered in addition to the interpretation of existing policies and opinions.)

PROPOSAL: **1) Conversion of existing granary/barn and stables to provide mixed residential and D1 business use;
2) Conversion of existing granary/barn and internal alterations.**

LOCATION: **The Barn, Stone Hall, Stortford Road, Little Hallingbury**

APPLICANT: **Mr & Mrs T R Robarts**

AGENT: **BBS Chartered Building Surveyors**

GRID REFERENCE: **TL 511-195**

EXPIRY DATE: **24 April 2012**

CASE OFFICER: **Miss K. Benjafield**

1. NOTATION

1.1 Within Metropolitan Green Belt / Curtilage of Grade II Listed Building

2. DESCRIPTION OF SITE

2.1 The site is located between Little Hallingbury and Hatfield Heath on the western side of the A1060. It covers an area of 0.44ha and comprises a two-storey former granary building and a single storey stable building. To the west of the granary building there is a section of wall which is all that remains of a single storey structure. There is rubble relating to that structure on the site and this has grass growing on it. The existing buildings cover a combined ground floor area of 135m².

2.2 To the south of the site is the farmhouse, Stone Hall which is a Grade II Listed Building. There is also an outbuilding adjacent to the southern site boundary which is used in association with Stone Hall.

3. PROPOSAL

3.1 These applications relate to the extension of the existing buildings on the site and their conversion to form one dwelling and an osteopathic clinic. A new access would be constructed branching off from the existing access serving Stone Hall. This would run from a point close to the junction with the A1060, to the north of the pond and across the centre of the site to the buildings.

3.2 The granary building would have an extension constructed to the western elevation. This would cover an area of 42m² and would have a maximum ridge height of 4.6m. The existing stables building would have an extension covering 33m² and with a

maximum ridge height of 4.4m. The extensions would have a combined floor area of 75m².

- 3.3 In addition to the proposed extensions to the buildings, the external appearance of the existing structures would be altered to accommodate the conversion works. Rooflights and windows would be added to all existing elevations of the buildings as well as to the extensions.
- 3.4 The area of land to the north of the buildings is proposed to be used as garden.

4. APPLICANT'S CASE

- 4.1 A number of supporting documents have been submitted with the application. These include a design and access statement, an ecology habitat survey, details of pre-application advice, marketing information and a structural survey.

5. RELEVANT SITE HISTORY

- 5.1 UTT/0289/11/FUL & UTT/0392/11/LB
- 5.2 Applications for the conversion of existing granary/barn and stables to provide mixed residential and D1 business use with internal alterations. The applications were refused on 15 June 2011 for the following reasons:

UTT/0289/11/FUL

1. The applicant has failed to adequately demonstrate for the purposes of marketing that there is no significant demand locally to use the former granary barn for appropriate business uses, small scale retail outlets, tourist accommodation or community uses before considering its alternative use for residential conversion. The proposal is therefore contrary to ULP Policy H6 of the Uttlesford Local Plan 2005 and the application is considered premature for this reason.

2. The extensions proposed to the principal structures to be converted by reason of their additional footprint and volume would be harmful to the openness of the Metropolitan Green Belt at this rural location, which is characterised by open farmland and sporadic development along the western side of Stortford Road. The proposal would therefore be contrary to the aims of PPG2 - Metropolitan Green Belts - which seeks to protect land within them from inappropriate development. It is considered that no special circumstances have been put forward by the applicant to warrant a departure from established green belt policy. Furthermore, the extensions are considered to be significant in size and would therefore be contrary to ULP Policies E5 and H6 of the Uttlesford Local Plan 2005, whilst the private garden area shown would by its size and location be detrimental to rural amenity contrary to ULP Policy H6 of the Uttlesford Local Plan 2005.

3. The proposal would fail to respect and conserve the individual characteristics of the buildings as curtilage structures to Stone Hall, whilst the introduction of numerous window openings and rooflights to the buildings would make them appear prominent in appearance and would detract from their present subservient nature within the courtyard grouping. Furthermore, this, combined with the proposed area of surface parking would mean that the proposal would be damaging to the setting of Stone Hall situated adjacent, which is a Grade II listed building. The proposal would therefore be contrary to advice contained within PPS5 - Planning for the Historic Environment - and ULP Policy ENV2, which seeks to protect the special characteristics of listed buildings and their settings.

4. The proposed car parking spaces as shown on the layout drawing would not comply with the minimum parking bay sizes as specified within the Essex County Council document "Parking Standards: Design and Good Practice" published in

September 2009. The proposal would therefore be contrary to ULP Policy GEN8 of the Uttlesford Local Plan 2005.

UTT/0289/11/FUL

1. The proposal would fail to respect and conserve the individual characteristics of the buildings as curtilage structures to Stone Hall, whilst the introduction of numerous window openings and rooflights to the buildings would make the buildings as converted prominent in appearance and would detract from their present subservient nature within the courtyard grouping. Furthermore, this, combined with the proposed area of surface parking would mean that the proposal would be damaging to the setting of Stone Hall situated adjacent, which is a Grade II listed building. The proposal would therefore be contrary to advice contained within PPS5 - Planning for the Historic Environment and ULP Policy ENV2 and would therefore be contrary to Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act, 1990.

- 5.3 The current applications are essentially the same as the applications refused in June 2011 although additional information in support of the scheme has been submitted. A minor alteration has also been made to the proposed location of two rooflights when compared to the previous scheme, one is now proposed in the western elevation of the granary and one has been removed from the western elevation of the stables building.

6. POLICIES

6.1 National Policies

National Planning Policy Framework

6.2 East of England Plan 2006

Policy SS7 - Green Belt
Policy ENV3 - Biodiversity and Earth Heritage
Policy ENV6 - The Historic Environment

6.3 Essex Replacement Structure Plan 2001

N/A

6.4 Uttlesford District Local Plan 2005

Policy GEN1 - Access
Policy GEN2 - Design
Policy GEN4 - Good Neighbourliness
Policy GEN7 - Nature Conservation
Policy GEN8 - Vehicle Parking Standards
Policy ENV2 - Development affecting Listed Buildings
Policy ENV6 - Change of Use of Agricultural Lane to Domestic Use
Policy E5 - Re-use of Rural Buildings
Policy H6 - Conversion of Rural Buildings to Residential Use

SPD - Accessible Homes and Playspace
Essex County Council Parking Standards - Design and Good Practice September 2009.

7. PARISH COUNCIL COMMENTS

- 7.1 No objections.

8. CONSULTATIONS

Conservation Officer

8.1 The structures subject of this application are within the curtilage of a grade II listed Stone Hall which is a timber framed structure of C17 origins. Historically this early farmhouse would have been supported by some contemporary farm buildings, most of which have now been lost. The remaining outbuildings are mostly modern with the exception of one or two which appear to be of late C19 or later origins.

8.2 The proposal subject of this application is to convert the taller range to a 3 bedroom dwelling and the lower building to a business use. The scheme aims at the formation of two substantial extensions to both structures. Such proposal has been considered before, application number UTT/0289/11/FUL, which was refused. In fact it appears that this application includes all drawings as previously submitted, consequently, my view is unchanged.

8.3 The adopted policy H6 (Conversion of Rural Buildings to Residential Use), allows the conversion of redundant farm buildings to residential use providing that all the specified prerequisites are satisfied. One of the requirements is that the existing building's historic, traditional or vernacular form enhances the character and appearance of rural area. The buildings in question are of no historic or environmental value. The spindly frame of the taller structure and its dilapidated and unkempt appearance, does not in my view enhance the character of the rural area, while the lower range at the best is unremarkable.

8.4 In addition policy ENV2 (Development affecting Listed Buildings) states inter alia that development proposals that adversely affect the setting of a listed building will not be permitted. The Hall has been identified as a building of special architectural and historic interest. Its C17 form under a steeply pitched roof of hand made plain clay tiles forms an attractive landmark within the open nature of the Common.

8.5 It could be said that at present both of these utilitarian buildings are reality of working countryside. Introduction of numerous windows and roof lights and the formation of two substantial extensions would give them sense of permanence and prominence detracting from their subservient nature while doing nothing to alleviate their unappealing exterior. Furthermore, formation of parking facilities outside of the natural farm yard would expose a car dominated scene to a wider view or create a pressure to erect unsightly fences.

8.6 Also of great concern is the proposal to form yet another drive within this site. Additional drive would further erode the green open nature of this area which although in private ownership, is perceived to be part of the Common.

8.7 To conclude I feel that in this instance and for above reasons, perpetuating the existence of unsightly building by new residential use and consequential paraphernalia would be damaging to the setting of the listed building and the character of the wider countryside.

Access and Equalities Officer

8.8 No access issues identified, D&A supports inclusive design.

Engineer

8.9 The proposal is to discharge surface water to the pond on the site. The applicant will need to be satisfied that the necessary capacity for additional run off is available.

9. REPRESENTATIONS

9.1 None received. Period expired 29 March.

10. APPRAISAL

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

- A Principle of conversion of these Rural Buildings
- B Development affecting Listed Buildings
- C Design and Amenity
- D Access
- E Vehicle Parking Standards
- F Change of use of Agricultural Land to Garden
- G Nature Conservation
- H Material Considerations

A Principle of conversion of these Rural Buildings (ULP Policy E5, H6, NPPF)

10.1 The site is located outside Development Limits and is within the Metropolitan Green Belt where development is strictly controlled to protect the openness of the MGB. The NPPF states that "inappropriate development, is by definition, harmful to the Green Belt and should not be approved except in very special circumstances".

10.2 The re-use of buildings need not constitute inappropriate development provided that the buildings are of permanent and substantial construction. In addition, the extension or alteration of a building, provided the new building is in the same use and not materially larger than the one it replaces would also not constitute inappropriate development.

10.3 ULP Policy E5 sets out criteria for the re-use of rural buildings for business uses and ULP Policy H6 contains a different set of criteria for the conversion of rural buildings to residential use. As this proposal relates to a mixed residential and business use, it will be necessary to assess it against both of these policies.

10.4 With regard to ULP Policy H6, the Council has produced written advice which advises that to assess demand for non residential uses the building should be marketed at a realistic price through an appropriate estate agent for a period of 6 months prior to an application for residential use being submitted.

10.5 The proposal would include the extension of both of the existing buildings in order to facilitate the changes of use. As the buildings as extended would not be in the same use that they currently are, this would constitute inappropriate development as defined in the NPPF and would be detrimental to the openness of the MGB.

10.6 With regard to the requirements of ULP Policy E5, the structural survey submitted with the applications indicates that the existing buildings are of a permanent and substantial construction. However, the proposals would necessitate an extension to the stables for the proposed osteopathy clinic and this would be contrary to criterion b) of ULP Policy E5.

10.7 The development would not protect or enhance the character of the countryside through the erection of the proposed extensions which would be detrimental to the openness of the MGB. In addition, the proposed vehicular access to the buildings would constitute a new feature within the MGB which does not need to take place there and would be detrimental to the openness of the surrounding countryside contrary to criterion c).

10.8 The proposed osteopathy clinic would appear to be a low key proposal with one full time and one part time member of staff. As such it is unlikely that the proposed use would generate sufficient traffic that would place an unacceptable pressure on the surrounding road network and would therefore comply with the requirement of criterion d).

10.9 In relation to the specified criteria contained within ULP Policy H6:

a) The application is supported by two estate agent particulars and letters from each of the agents relating to the success of the marketing. The granary has been marketed in its current condition with both sets of particulars stating that it is in need of "complete

renovation" and that there are no services connected to the building. Only one of the particulars indicates a price, which is for offers in excess of £200,000 for the leasehold.

10.10 One letter associated with the particulars states "I feel that there is absolutely no requirement or demand for any small scale retail outlets, tourist accommodation or community uses for The Granary". However there is no substantial information to back up this claim and nor is there any information regarding demand or suitability for business uses. A comparison has also been made with a much larger, three-storey building in Hatfield Heath which is not comparable with the application site.

10.11 The second letter indicates that there has not been any interest in the granary and that it has been advertised for six months. It states that "We feel that due to the present economic climate and the existing availability of empty refurbished commercial properties in the area that you are unlikely to be successful in sale the premises for the foreseeable future (sic)". It is not surprising that the marketing of the granary building for a price in excess of £200,000 in its current condition has not been successful.

10.12 There has been no demonstration that the applicant has carried out any assessment as to whether local community groups or parish councils have a need for a building to use for community uses and whether this building might meet that need. However in any event, given the condition of the building and the costs that would be involved in renovating it to a useable condition, it is unlikely that any community group would be able to take on a building in this condition.

10.13 The potential of this building for use as tourist accommodation has been discounted as the area is already well served by existing enterprises and that it would be likely to result in a detrimental impact on the setting of the listed farmhouse. No justification has been submitted for the applicants' assessment that tourist accommodation would be detrimental to the adjacent listed farmhouse nor has an assessment of such a proposal been requested from the Council through a pre-application enquiry. Furthermore, the assertion that the area has a number of existing tourist accommodation enterprises could indicate that there is a demand for more accommodation rather than the applicants' indication that no more accommodation is required.

10.14 The marketing of this building has not been rigorous or robust and the applicant has failed to demonstrate that there is no significant demand for business uses, small scale retail outlets, tourist accommodation or community uses contrary to criterion a).

10.15 The application is supported by a structural survey of the building and this indicates that it is structurally sound. In this respect the proposal complies with criterion b).

10.16 Criterion c) requires rural buildings to have a historic, traditional or vernacular form that enhances the character and appearance of the rural area. The Council's Conservation Officer has indicated that the buildings that are subject of these applications are of no historic or environmental value and the "spindly frame of the taller structure and its dilapidated and unkempt appearance, does not in my view enhance the character of the rural area, while the lower range at the best is unremarkable". The buildings therefore fail to comply with criterion c).

10.17 Notwithstanding the buildings' lack of historic or environmental value, their proposed conversion and extension would also fail to respect and conserve their existing characteristics which are that of utilitarian buildings. The resultant buildings would have a sense of permanence and prominence which would detract from their subservient nature and would not improve their existing appearance. The proposal would fail to comply with criterion d).

10.18 The area of land to the north of the buildings is proposed to be used as garden for the dwelling. This would result in a garden in excess of 0.22ha that would be visible from the A1060 and would erode the open and rural character of the surrounding countryside. The

applicants have indicated that this land has been in use as a garden to Stone Hall for a period in excess of 10 years and that it therefore has an existing use as a garden and is immune from enforcement action. The land does not have the appearance of garden and the Council's records relating to planning applications since 2001 do not support the applicants' claims that it has been used as garden. The change of use of this area of land to garden would fail to comply with criterion e).

10.19 ULP Policy H6 also specifies that substantial building reconstructions or extensions will not be permitted. With regard to the proposed extension to the western elevation of the granary, the applicants have indicated that there was previously a structure in this position and have put this forward as justification for the extension. Very little of the previous structure remains and the applicants' own structural survey indicates that "the originally attached outbuilding to the granary has only limited reuse capabilities, confined to a percentage of one flank wall".

10.20 Once a structure such as this has been removed, planning permission is required for its rebuilding. The rubble on the site adjacent to the granary has grass and vegetation growing on it and therefore it does not have the appearance of a structure that has recently fallen down. It is therefore the Council's view that there is no justification for the extension of the granary and it is contrary to the requirements of ULP Policy H6.

B Development affecting Listed Buildings (ULP Policy ENV2 & NPPF)

10.21 As indicated in section A of the considerations above, the Conservation Officer has assessed these buildings as having no historic or environmental value. The proposed extensions and conversion works would result in the buildings having an air of prominence and permanence which would detract from their subservient and utilitarian nature. The resultant prominent appearance of the converted and extended buildings would also detrimentally compete with the listed farmhouse and adversely detract from its setting. The proposals are therefore contrary to the requirements of ULP Policy ENV2 and the NPPF.

C Design and Amenity (ULP Policy GEN2 & SPD Accessible Homes and Playspace)

10.22 The proposal has been designed to avoid any windows or rooflights overlooking the farmhouse to the south and its associated curtilage. In addition, the new build elements would be sufficiently distant from the farmhouse to prevent any loss of amenity in relation to loss of privacy, loss of daylight, overbearing impact or overshadowing.

10.23 The compatibility of the proposal with regard to Lifetime Homes Standards contained within the adopted SPD - "Accessible Homes and Playspace" has been assessed and the scheme meets the required standards. The proposed garden area would also exceed the minimum standards required for new dwellings.

D Access (ULP Policy GEN1)

10.24 The access to the main road from the site is acceptable and is capable of carrying any traffic generated by the development. The site is within walking distance of Hatfield Heath and therefore it could be accessed means other than by driving a car. The proposal would therefore comply with the requirements of ULP Policy GEN1.

E Vehicle Parking Standards (ULP Policy GEN8)

10.25 The parking provision indicated for the residential use on the site would not meet the required dimensions indicated in the adopted parking standards. However, there would be a turning area adjacent to those spaces and it would be possible to require by condition that the parking spaces are increased in size if the proposal is considered to be acceptable.

10.26 The proposed parking provision for the osteopathy clinic would meet the number and size of spaces specified in the adopted parking standards however the site plan indicates that visitor spaces would be accessed via a strip of land between the building and the pond. Although it is marked on the plans, this area of land does not exist on the ground and therefore it is not possible to enable access to the proposed visitor parking. The proposal is

therefore contrary to the requirements of ULP Policy GEN8 as the layout of the parking provision would not be appropriate for the proposed development.

F Change of use of Agricultural Land to Garden (ULP Policies ENV6)

10.27 The creation of a garden area for the dwelling would result in the change of use of a large area of the adjoining agricultural land. The land is Grade 2 agricultural land which is the highest quality agricultural land within Uttlesford District and the proposal would result in the loss of 0.22ha of this land. Although the applicants have indicated that this land is already garden land, this has not been established through the submission of an application for and the subsequent grant of a certificate of lawfulness and there has been no grant of planning permission for the change of use. As such, the land is still classified as agricultural and the change of use of such a large and prominent area would have a detrimental impact on the character and appearance of the surrounding countryside. The proposal is therefore contrary to ULP Policy ENV6.

G Nature Conservation (ULP Policy GEN7, PPS9)

10.28 A protected species survey of the building and the site was carried out in 2010 by a licensed surveyor and an additional survey was carried out in August 2011. The subsequent report indicates that there are no protected species within the building or the site. Therefore the proposal would not have a detrimental impact on any protected species and complies with the requirements of ULP Policy GEN7 and the NPPF.

H Other Material Considerations

10.29 The site layout plan is not accurate and includes an area of land between the stable building and the pond which does not exist. There are also gates indicated for the new access although no details of these have been submitted. As such, were the applications be approved, it would not be possible to implement them in accordance with the approved plans as required by planning legislation.

11. CONCLUSION

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

- A The proposals would constitute inappropriate development within the MGB and would fail to comply with the criteria specified in ULP Policies E5 and H8 and would be contrary to the NPPF.
- B The buildings as converted would compete with and detract from the adjacent listed farmhouse to the detriment of the setting of the listed building contrary to ULP Policy ENV2 and the NPPF.
- C The proposal would comply with the requirements of ULP Policy GEN2.
- D The safety and usability of the proposed access is acceptable and complies with ULP Policy GEN1.
- E The proposed parking provision for the visitors to the osteopathy clinic cannot be provided as indicated on the plans due to the plans being inaccurate and the proposal would therefore not provide an adequate parking layout and provision contrary to ULP Policy GEN8.
- F The change of use of a large area of existing agricultural land to residential use would be visible to users of the A1060 and would be detrimental to the open and rural character of the surrounding area contrary to ULP Policy ENV6.
- G The proposal would not have a detrimental impact on protected species in compliance with ULP Policy GEN7 and the NPPF.
- H The plans are inaccurate and could not be implemented if approved.

RECOMMENDATION – REFUSAL

UTT/0454/12/FUL:

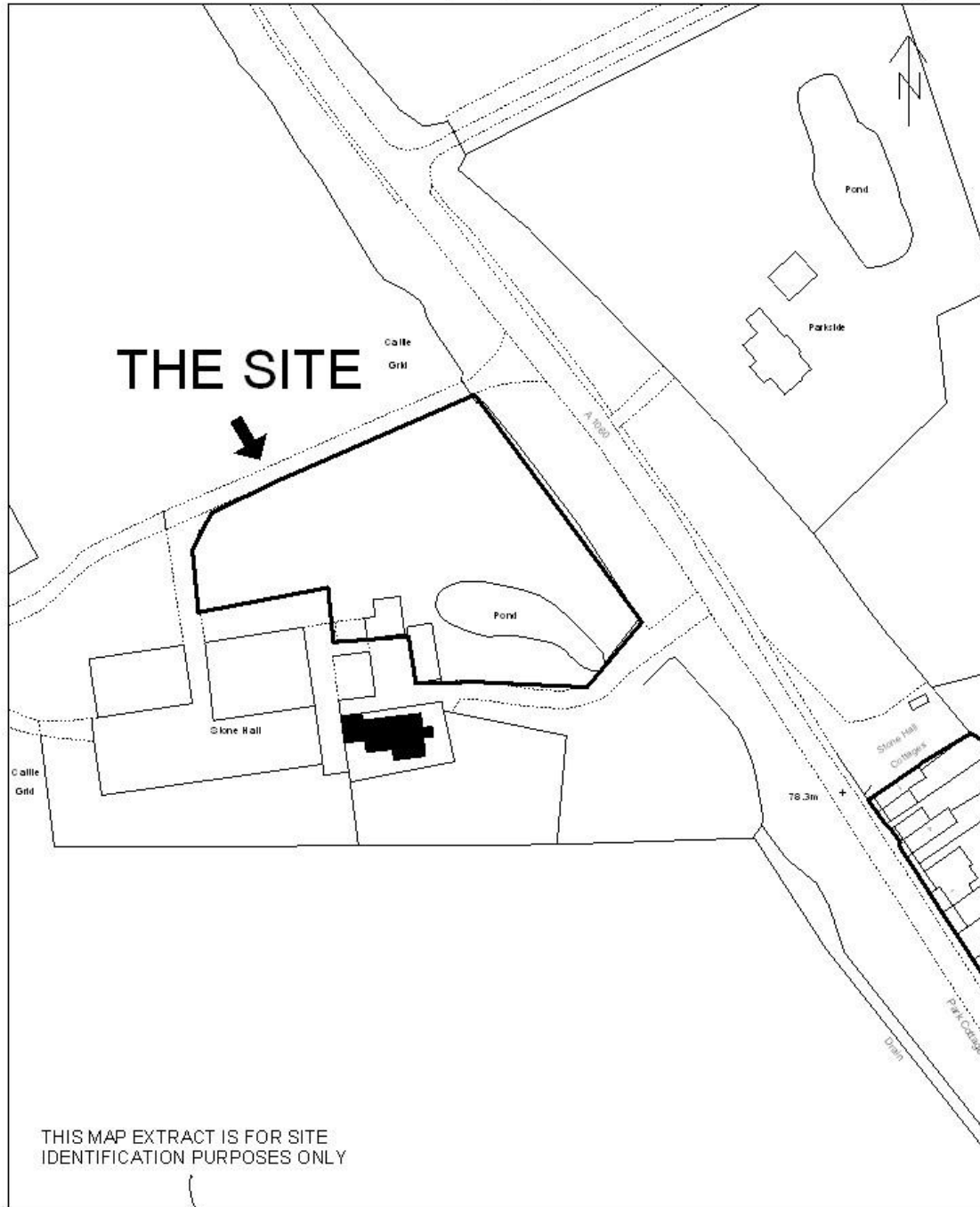
1. The proposed extensions, access to the buildings and garden area would constitute inappropriate development in the greenbelt and therefore is, by definition, harmful to the openness of the Metropolitan Green Belt. No very special circumstances have

been demonstrated by the applicants to justify the development and the proposal is therefore contrary to the requirements of the NPPF.

2. The proposal for the osteopathy clinic would require an extension to the building, alterations to the exterior and a new vehicular access to the building. The proposals would be detrimental to the open and rural character of the surrounding countryside and would fail to comply with criteria b) and c) of ULP Policy E5.
3. The applicants have failed to demonstrate that there is no significant demand for business uses, small scale retail outlets, tourist accommodation or community uses as required by criterion a) of ULP Policy H6. The proposal would also result in an extension to the building, external alterations, a new vehicular access and the change of use of a large and prominent area of agricultural land which would be detrimental to the open and rural character of the surrounding countryside. The proposal therefore fails to comply with ULP Policy H6 and specifically criteria a), c) d) and e) of this policy.
4. The proposed development would result in the buildings having an air of prominence and permanence which would detract from their subservient and utilitarian nature. In addition the converted buildings would detrimentally compete with the listed farmhouse and adversely detract from its setting. The proposals are contrary to the requirements of ULP Policy ENV2 and the NPPF.
5. The proposed parking provision for the visitors to the osteopathy clinic cannot be provided as indicated on the plans due to the plans being inaccurate. The proposal would therefore not provide an adequate parking layout and provision contrary to ULP Policy GEN8.
6. The proposed change of use of a large area of Grade 2 agricultural land to residential use which is visible to users of the A1060 would be detrimental to the open and rural character of the surrounding area contrary to ULP Policy ENV6.
7. The site layout plan is not accurate it includes an area of land between the stable building and the pond which does not exist and gates are shown, details of which have not been provided for consideration. As such, were the applications be approved, it would not be possible to implement them in accordance with the approved plans as required by planning legislation.

UTT/0455/12/LB

1. The proposed development would result in the buildings having an air of prominence and permanence which would detract from their subservient and utilitarian nature. In addition the converted buildings would detrimentally compete with the listed farmhouse and adversely detract from its setting. The proposals are contrary to the requirements of Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act, 1990, ULP Policy ENV2 and the NPPF.



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