DELEGATED FILE NOTE

CASE OFFICER: ...Jo Cousins.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
18/00771/FP	Conversion of existing stables and outbuildings to facilitate change of use to a detached two storey, three bedroom dwelling, with associated ancillary works.	Micklefield Payne End Sandon Buntingford Hertfordshire SG9 0QU

Submitted Plan Nos

1603-1; 1603-2; 1603-3; 1603-4; 1603-5; 1603-6

1.0 Policies

LP6 Rural Areas Beyond the Green Belt

LP25	Re-use of Rural Buildings
LP55	Car Parking Standards
LP57	Residential Guidelines and Standards
SECT12	Conserving and enhancing historic enviro
SECT6	Delivering Wide Choice High Quality Home
SECT7	Requiring Good Design
SPDDS	Design Supplementary Planning Document
SPDVP	Vehicle Parking at New Development
XCGB1	Rural Areas Beyond the Green Belt
XCGB4	Existing Rural Buildings
XD1	Sustainable Design
XD3	Protecting Living Conditions
XHE1	Designated Heritage Assets

XSP1	Sustainable Development in NH
XSP5	Countryside and Green Belt

2.0 Site History

2.1 Permission granted in 1997 for a double garage with shower and WC and incorporating playroom in the roof space.

2.2 In 2017 pre-application advice given relating to the erection of one detached dwelling following the demolition of the stables and garage.

3.0 Representations

3.1 **Sandon Parish Council** – raise an objection as follows:-
"The PC have no objection to new dwelling, but as this application is outside the envelope Policy 7 of the local plan does not permit such development and the PC needs to be consistent in their approach.
Motion: - The Parish Council object to the application on the basis that it is outside the permitted building area."

3.2 **Neighbours/site publicity** – No representations received.

4.0 Planning Considerations

4.1 Site and Surroundings

4.1.1 The application buildings are currently domestic garage/storage/stables/ to the rear of Micklefield, a detached dwelling located on the north side of Payne End at its junction with Dark Lane. The current site configuration places the existing dwelling to the west side of the access driveway with the garage and stable block to the north of the dwelling. The land to the north, east and west of the dwelling are in the same ownership forming an 'L' shaped parcel approx. 195m long by 75m deep with the land used primarily for grazing.
The Selected Village boundary runs between the dwelling and the stables effectively placing the dwelling and its garden within the Settlement boundary and the stables and land outside. The Selected Village boundary in the Emerging Local Plan remains as existing. The application site also just outside the Conservation Area with the boundary formed along the curtilage of Wotton Cottage to the east.

4.2 Proposal

4.2.1 The proposal is unclear. The forms state the it is intended to convert the existing stables and garage to form a new three bedroom dwelling while the accompanying supplementary statement states that the structures would be replaced. (I shall consider both in my report below)
The plans indicate a proposed new access running to the side of the existing access to MIcklefield, giving independent access and parking to the exisiting and propsed development.

The resulting plot for the new dwelling is not clear but the accompanying statement indicates a garden area to the west and retention of boundary trees.

4.3 Key Issues

4.3.1 The key issues can be summarised as follows:

- Principle of development
- Justification
- Impact on Heritage Assets
- Design and appearance
- Impact on living conditions of neighbours
- Residential amenity of future occupiers
- Parking and Highways
- Wildlife

Principle of development

4.3.2 In my view there is an objection in principle to the proposal. The site is located just outside the selected village boundary (Policy 7) and lies within the rural area beyond the Green Belt (Policy 6). Even with the age of the Plan, Policy 6 is still regarded as being relevant and in some part compliant with the NPPF. The site is on the periphery of the village of Sandon and in walking distance to the limited services (school and village hall) although parts of the surrounding highways do not have footpaths. The proposal falls outside of the Selected Village boundary and does not meet any of the criteria set out in Saved Local Plan Policy 6 or Emerging Policy CGB1. I am concerned that should the proposal be granted it would set an unwelcome precedent and if implemented and repeated such development would further erode the essential character of the area. As such the proposal would fail to comply with Saved Local Plan Policies 6 and 7 and Policies SP2 and CGB1 in the Emerging Local Plan. The proposal would fail to recognise the intrinsic character and beauty of the countryside, one of the core land-use planning principles set out in paragraph 17 of the NPPF.

Justification

4.3.3 No formal justification has been presented and as mentioned above it is not clear as to whether this would be a conversion and adaption of existing structures or a new build (or indeed a hybid of both). Having looked at the existing structures on site I would be doubtful that the stables would be capable of conversion given the timber construction and poor condition. In the absence of survey details this is not possible to fully assess. However, to meet building regulations a substantial amount of work would be required and I am doubtful that this would be viable. A new roof is shown to be added to the stable element and this would be higher than the existing roof. Also this structure would be wider. The garage element would be increased in width to provide more first floor accommodation and the structure is further domesticated by the introduction of two dormer windows. A and a single storey addition would be added to the rear of the stable element facing the proposed garden area. Given the lack of detail presented and the nature of the stables and garage (being a domestic garage constructed in the late 1990's, I do not consider that Policy 25 of the current local Plan relating to the re-use of rural buildings would apply here.

The resulting dwelling would be of a domestic appearance, which together with areas for parking, and other external elements (such as play equipment, sheds washing lines and so on) would be unacceptable in this location. In my view the proposed scheme would fail to positively preserve or enhance the character of the Conservation Area and would not maintain the existing countryside and villages, and their character.

Impact on Heritage Assets

4.3.4 The Conservation Officer was not consulted on the application. With regard to this current scheme the proposed property is adjacent to the Conservation Area and would be a backland

development contrary to the pattern and established character of the area. A recent appeal decision (APP/x1925/W/17/3177669 was dismissed for a dwelling on adjacent land at Wootton Cottage where the Inspector stated: '*I agree with the Council that this designated area is largely characterised by its openness and also the plethora of vegetation within the spaces between buildings. Certainly , this is true of the relationship between Wootton Cottage and Micklefield, the nearest dwelling to the west.'*

In my view the proposal would impact upon the setting of the Conservation Area by the location of the new dwelling and its proximity to the boundary and the formation of a new vehicular access with the loss of frontage vegetation.
The area is characterised by the loose kit pattern of dwellings primarily set out along the frontage with little backland development. As such the proposal would lead to less than substantial harm to the significance of designated assets (Conservation Area and Listed Buildings) and this harm would outweigh the public benefits (provision of one house) of the proposal contrary to Paragraph 134 of the NPPF.

Design and appearance
4.3.6 The proposed development has not be demonstrated to be achievable given the nature of the existing structures. I do not feel convinced that this would be a conversion and would be a re-building of a small domestic stable block of no significant merit. The proposal is of a domestic appearance and would constitute poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, contrary to Paragraph 64 of the NPPF. The proposal would fail to comply with and Policies D1 and HE1 of the North Hertfordshire District Proposed Submission Local Plan 2011-2031.

Impact on living conditions of neighbours
4.3.7 The scheme would add an additional domestic curtilage to the rear of the existing Dwelling which would, in my view, constitute an undesirable form of backland development. Whilst I do not consider that there would be any significant loss of privacy to form a stainable reason for refusal in this case. In my view the proposed development would not result in a loss of light or be unduly dominant in the outlook currently enjoyed by any neighbours given the location.

Residential amenity of future occupiers
4.3.8 It is considered that the development would provide a satisfactory living environment and would be in line with the residential guidelines and standards as set out in Saved Local Plan Policy 57. The Waste Management Team have raised no objections and make suggestions as to how best provision for waste should be made.

Highways and parking
4.3.9 The proposal would result in potentially more vehicle movements onto the site, and I feel that there may be issues with a second access. I do not consider that traffic resulting from the proposed development would be likely to have an adverse impact on the adjacent. In terms of noise and disturbance again I do not consider that this would be likely to be so significant to justify a refusal on this ground. The Highway Authority were not consulted (in error) and given the fundamental objections I do not consider that the highway view would change these concerns. I have asked the highways to now comment and will pass the results on to the applicant in due course. If the second access is problematic this matter I feel could potentially be resolved by utilising the existing access but again would not impact on the fundamental objections raised.

With regard to parking the proposed scheme would have room for sufficient parking spaces, which would comply with the Supplementary Planning Document: Vehicle Parking at New Development.

Wildlife
4.3.11 I note that the works would be to a timber stable building in relatively poor condition. There may be some concerns here with regard to bats or nesting birds. An

ecological survey was not submitted with the application to demonstrate that the conversion of the building would not have an adverse impact on wildlife, in particular bats or birds. Hertfordshire Ecology were not consulted, however given the recommendation of refusal it was not considered necessary to consult them at a late stage. Had the site attracted a favourable recommendation then either an informative or consultation with Herts Ecology and submission of further details would be advised.

4.4 Conclusion

4.4.1 In conclusion there is a fundamental objection in principle to the proposal which would involve residential development outside the Selected Village Boundary. The proposal would create an unacceptable form of backland development which would have no readily identifiable physical relationship with the existing pattern of frontage developments along Payne End, thereby failing to have adequate regard to the character and context of the surrounding area and detracting from the general character and appearance of this particular part of Sandon. The proposal would also in my view, lead to less than substantial harm to the significance of designated assets (Conservation Area and Listed Building) and this harm would outweigh the public benefits (provision of one house) of the proposal contrary to Paragraph 134 of the NPPF. The proposal would create an unacceptable cramped form of backland development.

5.0 **Recommendation**

5.1 That planning permission be **REFUSED** for the following reasons:

1. The proposal would create an unacceptable form of backland development which would have no readily identifiable physical relationship with the existing pattern of frontage developments along Payne End, thereby failing to have adequate regard to the character and context of the surrounding area and detracting from the general character and appearance of this particular part of Sandon. The proposal would also involve the encroachment of residential development beyond the Selected Village Boundary. If implemented and repeated such development would further erode the essential character of the area, contrary to the aims of Policies 6 and 7 of the North Hertfordshire District Local Plan No. 2 with Alterations 1996, Policies SP2, SP9, CGB1 and D1 of the North Hertfordshire District Proposed Submission Local Plan 2011-2031 Plan and would be contrary to the principles of the NPPF.

2. By reason of the creation of a new dwelling and associated domestic curtilage, the building would have a significant impact upon the Sandon (Payne End) Conservation Area. This impact would result in less than substantial harm that would fail to satisfy the provisions of Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the aims of Section 12 of the NPPF (particularly paragraphs 131, 134 and 135) and Policy HE1 of the North Hertfordshire District Proposed Submission Local Plan 2011-2031 Plan.

3. The proposal fails to demonstrate that the garage and stable building are capable of conversion without major reconstruction, and they would require extending to provide a viable dwelling. As such the application fails to comply with the provisions of saved Policy 25 of the District Local Plan No2 with Alterations and Policy CGB4 of the emerging Local Plan 2011-2031.

Proactive Statement:

Planning permission has been refused for this proposal for the clear reasons set out in this decision notice. The Council acted proactively through early engagement with the applicant at the pre-application stage. This positive advice has however been ignored and therefore the Council remains of the view that the proposal is unacceptable. Since the Council attempted to find solutions, the requirements of the Framework (paragraphs 186 and 187) have been met and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Signed  Simon Ellis Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 15 June 2018	