

PLANNING STATEMENT

for

PLANNING APPLICATION

for

**THE DEMOLITION OF EXISTING LIGHT INDUSTRIAL B2 USE
BUILDINGS AND THE ERECTION OF A NEW SINGLE STOREY
THREE BEDROOM DWELLING**

on

LAND ADJACENT TO BOURNE VILLA

BAKERS END

WARESIDE

HERTS SG12 7SH

M.J.Cook Architect RIBA

Walnut Tree farm

Upper Green Road

Tewin

Herts AL6 0LH

INTRODUCTION

This Planning Statement is being submitted on behalf of the site owner in support of the Planning Application.

The proposal is for the removal of the existing B2 Light Industrial Use buildings, and provide a single storey dwelling including parking and other associated works.

SITE DESCRIPTION and HISTORY

The application site abuts the Bourne Villa which was originally a part of Bakers End Nursery but is now owned by the owner/occupier of Bourne Villa.

Bourne Villa, which is outlined in blue on the submitted proposed site plan along with the application site, outlined in red, was once the residential unit serving Bakers End Nursery. The area outlined in blue became separated from the Nursery Site in the 1960's, and a part of what is the application site became an area used for storage and workshop within the existing buildings for the operation of a steel working business. A Certificate of Lawfulness (3/94/0413/CL) was issued in November 1995 confirming industrial use within Class B2 and for the storage and repair of agricultural machinery.

The workshop is of brick construction with a footprint of approximately 45sq m plus an open sided lean-to of 30 sq m and a garage building of 13sq.m. to the north, all within the curtilage of the industrial unit.

The brick workshop is currently being refurbished and the lean-to structure is to be replaced. The area of land to which the Certificate relates, together with the access and associated turning area, is 600 sq m, although prior to the applicant acquiring the site it was evident that the authorised light industrial activity extended beyond the land covered by the Certificate.

DESCRIPTION OF THE PROPOSAL

It was the intention of the applicant to intensify the light industrial use, thus the reason why he has started to refurbish. However as the buildings are close to his residential property and neighbouring properties it has been suggested that this legal light industrial site could, sometime in the future, effect the living conditions within Bourne Villa and the other neighbouring properties. It is therefore for this reason why an application has been submitted for a modest size residential property on this site and so relinquish the B2 Use.

The Applicant's vision for the Site is a high quality environment for a either a local couple who wish to down size and still live in the area in a property that provides accommodation all on one level and enjoy a reasonable size garden. Such properties have now become very rare and no new bungalows are being built by any of the House Building Developers in the area. Alternatively, it could be for a young professional couple who work from home. In addition it is proposed to construct the property to Passivhaus Energy and Comfort Standards.

This statement should be read in conjunction with the Design and Access Statement.

POLICY CONTEXT

Support for sustainable development remains at the heart of the revised NPPF as issued in February 2019.

This leads to three over-arching objectives which are interdependent and need to be pursued in mutually supportive ways so that opportunities can be taken to secure net gains across each of the different objectives. These are:-

- An Economic Objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- A Social Objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- An Environmental Objective – to contribute to protecting and enhancing our natural, built and historic environment including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution,

and mitigating and adapting to climate change, including moving to a low carbon economy.

Relevant sections from the NPPF are considered to be:-

- Section 5 Delivering a sufficient supply of homes including paragraphs relating to Rural Housing
- Section 11 Making effective use of land
- Section 12 Achieving well designed places and
- Section 15 Conserving and enhancing the natural environment
- Section 16 Conserving and enhancing the historic environment and
- Annex 2 Glossary

Rural Housing and a Sufficient Supply of Homes – this reiterates the government’s objective of significantly boosting the supply of homes whilst paragraph 73 of The Framework continues to require local planning authorities to identify a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing against their housing requirement as set out in adopted strategic policies. Paragraphs 77 to 79 relating to rural housing state that planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs and that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.

NPPF para 118

Making effective use of land –states that planning decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land.

NPPF para 124

Achieving well designed places - emphasises that good design is a key aspect of sustainable development and proposals should add to the overall quality of the area; be visually attractive as a result of good architecture, layout and appropriate and effective landscaping; and be sympathetic to local character and history, including the surrounding built environment and landscape setting.

NPPF para 170

Conserving and enhancing the natural environment –encourages, inter alia, the remediation and mitigation of despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

Conserving and enhancing the historic environment – consideration should be given to the effect of proposed development on heritage assets proximate to a site and account should be taken of the desirability of sustaining and enhancing the significance of heritage assets.

The glossary provides the following definition of “previously developed land”:-

Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.

DEVELOPMENT PLAN POLICIES

This is set out in the East Hertfordshire District Plan adopted in October 2018. The development strategy for the villages is set out in Chapter 10. In terms of the principle of development, whilst the village of Wareside is categorised as a Group 2 village to which policy VILL2 applies, the village envelope as defined on the Policies Map includes only the main village next to the B1004, and the residential enclave of Babb’s Green. Baker’s End, together with the other outlying settlements of Newhall Green and Reeves Green, are not part of the Group 2 settlement. Part I of policy VILL3 states that *“Those villages/settlements not identified as either Group 1 or Group 2 Villages are identified as Group 3 Villages”*. By default, therefore, Baker’s End is a Group 3 settlement to which policy VILL3 applies.

Part II of VILL3 states that *“Within Group 3 villages, limited infill development identified in an adopted Neighbourhood Plan will be permitted”*. Part III continues by stating that:-

All development should:

- (a) Relate well to the village in terms of location, layout and connectivity;
- (b) Be of a scale appropriate to the size of the village having regard to the potential cumulative impact of development in the locality;
- (c) Be well designed and in keeping with the character of the village;
- (d) Not represent the loss of a significant open space or gap important to the form and/or setting of the village;
- (e) Not represent an extension of ribbon development or an addition to an isolated group of buildings;
- (f) Not unacceptably block important views or vistas and/or detract from the openness of the countryside; and
- (g) Not be significantly detrimental to the amenity of neighbouring occupiers.

Other relevant policies include:-

GBR2 Rural Area Beyond The Green Belt

HOU2 Housing Density

DES2 Landscaping

DES4 Design of Development

TRA2 Safe and Suitable Highway Access Arrangements and Mitigation and

TRA3 Vehicle Parking Provision

Policy GBR2 states:-

- I. In order to maintain the Rural Area Beyond the Green Belt as a valued countryside resource, the following types of development will be permitted, provided that they are compatible with the character and appearance of the rural area:
 - (a) buildings for agriculture and forestry;
 - (b) facilities for outdoor sport, outdoor recreation, including equine development in accordance with CFLR6 (Equine Development), and for cemeteries;
 - (c) new employment generating uses where they are sustainably located, In accordance with Policy ED2 (Rural Economy);
 - (d) the replacement, extension or alteration of a building, provided the size, scale, mass, form, siting, design and materials of construction are appropriate to the character, appearance and setting of the site and/or surrounding areas;
 - (e) limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings) in sustainable locations, where appropriate to the character, appearance and setting of the site and/or surrounding area;
 - (f) rural exception housing in accordance with Policy HOU4 (Rural Exception Affordable Housing Sites);
 - (g) accommodation for Gypsies and Travellers and Travelling Showpeople in accordance with Policy HOU9 (Gypsies and Travellers and Travelling Showpeople) or Non-Nomadic Gypsies and Travellers and Travelling Showpeople, in accordance with Policy HOU10 (New Park Home Sites for Non-Nomadic Gypsies and Travellers and Travelling Showpeople);
 - (h) development identified in an adopted Neighbourhood Plan.

Policy HOU2 Housing Density requires that housing development should make efficient use of land having regard to the character of the local area whilst Part IV recognises that in villages and for some other locations lower net densities may be more appropriate to respond to local character and context.

Policy DES2 Landscape Character requires that:-

- I Development proposals must demonstrate how they conserve, enhance or strengthen the character and distinctive features of the district's landscape. For major applications, or applications where there is a potential adverse impact on landscape character, a Landscape and Visual Impact Assessment and/or Landscape Sensitivity and Capacity Assessment should be provided to ensure that impacts, mitigation and enhancement opportunities are appropriately addressed.
- II. Appropriate mitigation measures will be taken into account when considering the effect of development on landscape character/landscaping.
- III. Where relevant, development proposals will have regard to the District Council's currently adopted Landscape Character Assessment Supplementary Planning Document.

Policy DES4 states:

1. All development proposals, including extensions to existing buildings, must be of a high standard of design and layout to reflect and promote local distinctiveness. Proposals are expected to:
 - (a) Make the best possible use of the available land by respecting or improving upon the character of the site and the surrounding area, in terms of its scale, height, massing (volume, shape), orientation, siting, layout, density, building materials (colour, texture), landscaping, environmental assets, and design features, having due regard to the design opportunities and constraints of the site;
 - (b) Incorporate homes, buildings and neighbourhoods that are flexible to future adaptation, including the changing needs of occupants and users, and changes in wider employment and social trends;
 - (c) Avoid significant detrimental impacts on the amenity of occupiers of neighbouring properties and land, and ensure that their environments are not harmed by noise and disturbance or by inadequate daylight, privacy or overshadowing;
 - (d) Encourage high quality innovative design, new technologies and construction techniques, including zero or low carbon energy and water efficient, design and sustainable construction methods;
 - (e) Make provision for the storage of bins and ancillary household equipment, garages and driveways should be capable of accommodating family sized vehicles. Dwelling design and layout should make provision for electric vehicle charging points in safe and accessible locations;

(f) All new residential developments should meet the requirements of Policy HOU7, and ensure all internal rooms are of an appropriate size and dimension so that the intended function of each room can be satisfactorily achieved. All dwellings shall be identified by their square metreage.

II. Proposals must not prejudice the development opportunities of surrounding site, Achieving the above has been set out in the DAS.

Policy TRA2 Safe and Suitable Highway Access Arrangements and Mitigation requires that development proposals should ensure that safe and suitable access can be achieved for all users. Site layouts, access proposals and any measures designed to mitigate trip generation produced by the development should:

- (a) Be acceptable in highway safety terms;
- (b) Not result in any severe residual cumulative impact;
- and
- (c) Not have a significant detrimental effect on the character of the local environment.

Policy TRA3 requires provision of car parking in accordance with adopted standards, plus provision of sufficient secure, covered and waterproof cycle and, where appropriate, powered two-wheeler storage facilities positioned in easily observed and accessible locations. Car parking should be integrated as a key element of design in development layouts to ensure good quality, safe, secure and attractive environments. Two bedroom properties require 1.5 spaces per dwelling with 2.25 spaces being required for a three bedroom property.

It is acknowledged that the site lies within the Rural Area Beyond the Green Belt to which adopted policy GBR2 applies. The key objective of policy GBR2 is to maintain the Rural Area as a valued countryside resource. Due to the fact that the site is currently a Light Industrial B2 Use the site cannot be regarded as representing a valued countryside resource, rather than what is being proposed which must be considered “*compatible with the character and appearance of the rural area*”, the principle of which is acceptable in principle under policy GBR2.

Clause (d) of GBR2 supports the replacement, extension or alteration of a building provided the size, scale, mass, form, siting, design and materials of construction are appropriate to the character, appearance and setting of the site and/or surrounding areas and does not refer to the sustainability of the location

Clause (e) of GBR2 supports limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings) in sustainable locations, where appropriate to the character, appearance and setting of the site and/or surrounding area.

Therefore based on these two clauses (d) and (e) there should be no objection in principle with the thrust of policy GBR2.

Policy VILL3 which relates to all villages and settlements not identified as either Group 1 or Group 2 villages. Baker's End is clearly a settlement and the site is an integral part of that settlement, being abutted to the north, north west and south west by the gardens of the four adjacent residential properties. The site should therefore also be assessed against policy VILL3.

Development is clearly not precluded as a matter of course in Group 3 settlements since Part II of VILL3 allows for limited infill development identified in an adopted Neighbourhood Plan. It cannot therefore be claimed that any development at Baker's End would be unsustainable since there are circumstances where adopted policy allows for it.

As stated in the DAS there are about eleven residential dwellings within the hamlet of Baker's End including four (Bourne Villa, The Brae, Wren Cottage and The Bungalow) which adjoin the site. Hence it is clearly not "*far away from other places, buildings or people; remote*" and hence should not be described as truly isolated and therefore unsustainable.

Therefore, Bakers End should clearly not be seen as an unsustainable location where, as a matter of principle, any new residential development should be resisted.

Compliance with Village and Rural Area Policy

As set out above, the erection of a replacement building within the Rural Area is not unacceptable and nor is Baker's End an unsustainable location. Hence, the conclusion drawn is that this proposal is in general accordance with relevant policies GBR2 and VILL3.

Part of the application site is occupied by the B2 workshop and the land directly associated with that industrial use (ie the curtilage of the B2 unit) together with its associated fixed surface infrastructure comprises previously developed land based on the definition set out in the Framework. The extent of the curtilage of the industrial unit together with the access to it and the land used for vehicle turning etc, which clearly forms part of its fixed surface infrastructure, covers some 600 sq m. It is, however, accepted that The Framework states that it should not be assumed that the whole of the curtilage should be developed.

Impact on the character and appearance of the area (Part III of VILL3)

Taking each of the criteria of Part III of VILL3 in turn, I conclude that:-

- (a) The proposal relates well to Baker's End in terms of location, layout and connectivity.
- (b) One proposed new dwelling added to the existing settlement of eleven, particularly given that it will replace an operational general industrial workshop, represents a scale of development appropriate to the size of the village..
- (c) It should be considered that the proposed dwelling is of a good standard of design and in keeping with the character of the village, as indicated in the DAS.
- (d) The site does not represent the loss of a significant open space or gap important to the form and/or setting of the village.

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- (e) The site does not represent an extension of ribbon development or an addition to an isolated group of buildings.
- (f) The proposed development will not unacceptably block important views or vistas and/or detract from the openness of the countryside
- (g) The proposal will positively enhance the amenity of neighbouring occupiers by removing the B2 Use and therefore it should be considered that the proposal is in conformity with Part III of VILL3.

Impact on residential amenities

The industrial activities undertaken from the authorised B2 workshop have inevitably given rise to complaints of noise and disturbance over time from the adjoining residential properties. The fact that complaints have not been made in recent years is due to the reduced level of activity. However, the industrial use has clearly not been abandoned and could be re-instated at a fully commercial level. Because the use became lawful due to the passage of time it is not subject to any restrictions on hours of operation or types of vehicles allowed to access the site and therefore HGV movements could be generated as they have been in the past.

Seen in this context it is apparent that a proposed residential dwelling will represent a significant improvement to the amenities of the adjoining dwellings not only in terms of outlook but also level of activity, noise and disturbance.

It is acknowledged that the private motor car is likely to be used for most journeys. However, these trips will be replacing commercial trips that could be generated with the existing B2 Use.

Whilst there is thus some conflict with the objective of The Framework to focus new housing at locations well served by public transport, the proposal is of a modest scale particularly when assessed in the context of historic uses on the site. Hence I do not consider that any significant harm would arise.

Rather than causing harm in any form, the proposal will remove the existing structures and significantly enhance the character and appearance of the site and its surroundings and should therefore satisfy the environmental objectives of sustainable development.

The proposal will provide a modest sized home in a short timeframe in a District where there has been a consistent undersupply of housing in recent years and where the majority of new allocations are of a large scale and likely to take some years to deliver. Hence the proposal also fulfils the social objectives of The Framework to assist in boosting the supply of housing.

There will be economic benefits during the construction process and once occupied, the dwelling will provide further benefits to the local economy with residents' use of services and facilities in the village and across the wider area.

It should therefore be concluded that the benefits of the proposal significantly outweighs any harm if such should be found and accords with the general thrust of The Framework and District Plan policy.

CONCLUSION

The proposal should be found to be acceptable based on the fact that part of the application site is classed as 'Previously Developed Land' and that the existing B2 Use along with the existing structures will be permanently removed thus resulting in a proposal that is more in keeping with the residential surroundings.

Assessing the proposal against the NPPF regarding sustainable development:

An economic role is fulfilled as the residential development on the site will involve short term employment opportunities and other associated benefits with the building process and economic benefits in respect of future occupiers of the development making use of local amenities and services.

A social role is fulfilled by the provision a new dwelling which would go towards East Herts required housing numbers, which currently cannot be met.

An environmental role is fulfilled by the improvement made to the existing landscaping.

No adverse impacts have been identified from the development such that they would significantly and demonstrably outweigh the benefits of bringing forward a modest new dwelling.