

<b>4/01348/18/FUL</b>	<b>CHANGE OF USE FROM (B1/B8) BUSINESS/STORAGE TO (A3) CAFE</b>
<b>Site Address</b>	<b>CORNER BARN, CHURCH FARM, STATION ROAD, ALDBURY, TRING, HP23 5RS</b>
<b>Applicant</b>	<b>Mr S Voysey, 50 Kings Road</b>
<b>Case Officer</b>	<b>Andrew Parrish</b>
<b>Referral to Committee</b>	<b>Due to the contrary views of Aldbury Parish Council</b>

## 1. Recommendation

1.1 That planning permission be **GRANTED**

## 2. Summary

2.1 The proposed change of use to a cafe is considered acceptable in principle in accordance with Policy CS7 of the Core Strategy and saved Policies 90 and 109 of the Local Plan. No external alterations to the building are proposed and there would be no harm to the AONB or Conservation Area subject to details of bin storage and bike parking. In these terms the proposal would comply with Policies CS24 and CS27 and saved Policies 97 and 120. Subject to controls by condition, residential amenities would not be materially harmed and it is not considered that the use would create any highway safety issues. The proposal would accord with Policy CS12 and saved Policies 54 and 58. The proposal is therefore considered acceptable for approval.

## 3. Site Description

3.1 The site is part of the former racing stables establishment owned by Peter Harris but was closed down some years ago. Church Farm contains a number of brick built farm buildings, built as a planned courtyard (early Victorian) and an associated Farmhouse. The application site comprises a former single storey barn, Corner Barn, which is located within the complex of buildings at Church Farm, Aldbury, on the northern side of Station Road to the west side of the village. The existing building is occupied for B1 purposes by a business called Ashmei who manufacture cycling apparel and use part of the barn as their office premises. The remaining part is used for storage. The building is of L shaped footprint with plain tiled roof over red brick walls, a modest amount of fenestration comprising arched windows, rooflights, an entrance door to the NW elevation, and stable doors and full height glass doors to the SW side. There is an area of hardstanding to the frontage (NW elevation) and vehicle access is available through the farm complex from Station Road.

## 4. Proposal

4.1 Permission is sought to change the use of part of the building from B1/B8 business / storage to A3 cafe for up to 25-30 covers.

## 5. Relevant Planning History

4/01938/13/FUL CHANGE OF USE TO FORM COMBINED B1 AND B8  
BUSINESS/STORAGE AND DISTRIBUTION USE  
Granted  
16/12/2013

4/01936/12/FUL CHANGE OF USE OF ADMINISTRATION BUILDING TO OFFICE (B1)  
Granted  
18/12/2012

4/00654/00/FUL CONSTRUCTION OF STABLE BLOCK FOR 14 STABLES  
Granted  
01/06/2000

4/00933/94/4 NEW ACCESS ROAD  
Granted  
29/09/1994

All other history prior to 2000 relates to the former use as a racing stables and is less relevant.

## **6. Policies**

### 6.1 National Policy Guidance

National Planning Policy Framework (NPPF)  
National Planning Policy Guidance (NPPG)

### 6.2 Adopted Core Strategy

NP1, CS1, CS2, CS7, CS24, CS27, CS29.

### 6.3 Saved Policies of the Dacorum Borough Local Plan

Policies 13, 18, 34, 51, 58, 90, 97, 109, 120.

### 6.4 Supplementary Planning Guidance / Documents

- Environmental Guidelines (May 2004)
- Chilterns Buildings Design Guide (Feb 2013)

### 6.5 Advice Notes and Appraisals [include only those relevant to case]

- Sustainable Development Advice Note (Dec 2015)
- Conservation Area Character Appraisal for Aldbury
- Refuse Storage Guidance Note

## **7. Constraints**

- Rural Area
- Chilterns AONB
- Conservation Area
- Locally Listed Building
- Area of Archaeological Importance

## **8. Representations**

### Consultation responses

8.1 These are reproduced in full at Appendix X

## Neighbour notification/site notice responses

8.2 These are reproduced in full at Appendix X

## **9. Considerations**

### Main issues

9.1 The main issues to consider are:

- Policy and principle
- Impact on AONB, Conservation Area and heritage assets
- Impact on residential amenities
- Impact on highway safety

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- Impact on highway safety

### Policy and Principle

9.2 The site is located within the Rural Area, the Chilterns Area of Outstanding Natural Beauty and Aldbury Conservation Area. The application should therefore be assessed against the following policies:

- Core Strategy Policy CS7 (Rural Area);
- Core Strategy Policy CS24 and saved Local Plan Policy 97 (AONB); and
- Core Strategy Policy CS27 (quality of the historic environment) and saved Local Plan Policy 120 (development in conservation areas).

9.3 Policy CS7 states, inter alia, that uses associated with a farm diversification project, which can be demonstrated to be necessary for the continuing viability of the farm business and consistent with the principles of sustainable development are acceptable. More detailed guidance on farm diversification with preference for reuse of rural buildings can be found in saved Local Plan Policy 109.

9.4 The previous use of Church Farm for training racehorses ceased some years ago, leaving a substantial amount of vacant floorspace. An application to change the use of the building the subject of the current application from stables to B1/B8 use was granted in 2013 with a similar application at Church Farm being granted for the change of use of a larger barn in 2012.

9.5 Whilst pre-application advice in 2012 encouraged, and Policy 109 encourages the submission of farm diversification plans, the absence of such documents in this case is not considered to be a major issue given the building has already been converted from its former use and the proposed further change to an A3 cafe is modest in scale and does not involve any extension or major alteration to the existing building. Policies of the Local Plan also encourage tourism related uses (Policy 90) whilst Policy CS16 (Shops and Commerce) does not prevent the establishment of A3 uses in out of centre or rural locations. NPPF also takes a positive approach to supporting economic growth in rural areas in order to create jobs and prosperity with support for:

*"...sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside."*

9.6 It is considered that the proposal is acceptable in principle in terms of the above policies and guidance.

### Impact on AONB and Heritage Assets

9.7 Church Farm contains a number of brick built farm buildings, built as a planned courtyard (early Victorian) and an associated Farmhouse. Church Farm is considered an undesignated heritage asset and lies within the boundary of the Aldbury Conservation Area. It is also within the designated Chilterns AONB.

9.8 The building is visible from Station Road, being the left hand of a pair of buildings separated by a gated access. No alterations are proposed to the building itself with the only alterations relating to the provision of bike parking stands and a bin storage area on the existing hardstanding to its north west side. Details of the design of cycle racks / stands together with a screened enclosure for the bins would be expedient by condition.

9.9 The Conservation Officer has raised no objections on design or conservation grounds.

#### Impact on Residential Amenities

9.10 Church Farm House immediately adjoins the application site to its south whilst there are two properties, New House and Bailiffs Cottage, within the complex. It is not considered that there would be any material harm to residential amenities.

9.11 Opening times are stated to be 8-5pm Tuesday to Sundays but that the hours may shorten depending on customers. They have also indicated a wish to host occasional evening events such as talks by famous cyclists or people from the industry, film screenings and the like and note that Ashmei already do this without complaint.

9.12 The applicant has confirmed that the main entrance to the cafe itself will be via the parking area which is where the proposed bike parking will also be sited. This is therefore the natural choice for patrons to enter the cafe and is located away from the nearest dwellings. It will also be screened from them by virtue of the L shaped layout of the building. On this basis, it is not considered that there would be any undue noise, disturbance or visual impact to the neighbouring properties. It is understood that the existing business, Ashmei, who occupy the building, regularly hold open days at the premises where large groups of cyclists (often up to 50) are introduced to the cycling apparel and enjoy a cup of coffee and cake. It is understood that they use the existing glass entrance on the south west side of the building which faces residential properties and has apparently never resulted in any complaints about noise or disruption.

9.13 Environmental Health has raised no objections subject to conditions requiring details of extract plant or equipment to be installed.

9.14 The above notwithstanding it would be expedient to require by condition that the glass entrance is not used by customers to enter or exit the cafe and that details of signage be submitted for approval and installed to ensure this. An hours of use condition would also be expedient given the potential sensitivity adjacent to residential properties.

9.15 Subject to the above, the proposal would comply with Policy CS12.

#### Impact on Highway Safety

9.16 It is understood that Ashmei have been given consent by the owners of the site to park their cars on another part of the site which frees up the hardstanding at Corner Barn for car and bike parking whilst also making possible the provision of some outdoor seating. It is stated that only 1 parking space is required for staff given the applicants live locally and prefer to cycle. There is adequate space for this on the forecourt hardstanding area, and even if the use was to generate additional parking requirements from customers that arrive by car, the proposal would be unlikely to result in any overspill issues on the public highway given there is

ample space beyond the hardstanding within the red line area. In these terms the proposal would comply with Policy CS12 and saved Policy 58.

9.17 The neighbour at Church Farm House and Aldbury Parish Council have raised objections on grounds of highway safety issues. Their concerns relate to the potential for cyclists to access Corner Barn via the existing access from Station Road which is shared with Church Farm House and alleged to be a dangerous exit with poor visibility onto Station Road. Concerns are also raised that even if cyclists use the approved and signed entrance to the site that entering or leaving the site will be hazardous to cyclists due to the poor visibility and fairly narrow winding country road with fast moving traffic. The Parish Council claims that the current situation where cyclists can take a break or refreshments in the village itself which is 30 mph would provide a safer environment. Concerns are also raised regarding pedestrian safety and the lack of a footpath on Station Road.

9.18 In response to these concerns the applicants have said that they would be recommending that cafe patrons use the main vehicular entrance which is also used by domestic residents of the farm, and employees and visitors of the various businesses, so therefore makes sense for cafe visitors to use this entrance. This is shown on the location plan within the proposed red line area. Signage for the cafe would be provided here and the applicants have stated that they would encourage all cyclists to use this entrance which would also be marked accordingly on their website.

9.19 The applicant also notes Church Farm is part residential and part business complex with employees, residents and businesses entering and leaving via the main entrance at all times. In previous years it was also a very busy racing stable with the main entrance used heavily by goods vehicles, slow moving horse boxes, and strings of horses in groups of 20 or more. The main entrance is generous and deep, allowing for the largest of slow moving vehicles to enter and exit the site safely, having been granted on a previous application in 1994.

9.20 It is understood that Ashmei already host regular cycling events in the past 5 years with an annual hill climb attracting up to 100 cyclists and their spectators, using Corner barn as an HQ. The cyclists use the main entrance and it is understood that there has never been an incident involving a cyclist at the junction in the past 5 years. It is also noted that existing residents enter and exit the farm at this entrance every day without incident.

9.21 With regards to visibility, it is noted that the entrance is wide, located on the outside of a bend and gives a clear view in both directions of Station Road, providing ample warning of oncoming traffic to any cyclists wishing to emerge or turn in or vice versa. The applicants do not envisage creating lots more cycling traffic on the road, but simply tapping into that already on the road. Nor does the applicant anticipate the use generating significant additional traffic during the week, but rather an uplift during the weekend when the roads are quieter.

9.22 Having regard to the above considerations, we consider the existing access to be suitably safe and unlikely to create a significantly more dangerous junction than existing. The position of the proposed cafe within the farm complex rather than adjacent to the roadside would also ensure a safe and secure place for cyclists to take a break.

9.23 It would be recommended that details of signage and their siting to direct customers to the appropriate entrance be provided by condition as a pre-requisite to the use commencing.

9.24 Subject to the above, it is considered that the proposal complies with Policy CS12 and saved Policy 51.

#### Other Material Planning Considerations

9.25 The proposal use does not create any sustainability issues.

9.26 The Conservation Officer has raised concerns about the adequacy of facilities such as a WC. However, as the WC would be within the application site, it would be available for use by customers. In any event, the adequacy of kitchen and WC facilities would be a matter for Environmental Health to consider. No objections have been raised in this respect. As to the potential for car borne customers to visit the premises, this is acknowledged, but there is adequate car parking and the number of covers would place an ultimate control on overall numbers.

## 10. Conclusions

10.1 The proposed change of use to a cafe is considered acceptable in principle. There would be no harm to the appearance of the building, AONB or Conservation Area. Residential amenities would not be materially harmed and it is not considered that the use would create any highway safety issues. The proposal is therefore considered acceptable for approval.

**11. RECOMMENDATION** – That planning permission be **GRANTED** for the reasons referred to above and subject to the following conditions:

### Conditions

No	Condition
1	<p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.</p>
2	<p>The use hereby permitted shall not commence until the following shall have been submitted to and approved in writing by the local planning authority.</p> <p>(i) Details of the appearance and siting of the cycle stands / racks, including finished colour.</p> <p>(ii) 1:100 details of the siting and appearance of a refuse bin enclosure.</p> <p>(iii) Scaled plans and elevations of the siting, appearance and content of signage that will direct customers via the main entrance to the site from Station Road and that will discourage their use of the shared driveway with Church Farm House.</p> <p>(iv) Scaled plans and elevations of the siting, appearance and content of signage that will direct customers to use the courtyard (NW) entrance door to the premises and that will discourage their use of the glazed door entrance on the SW elevation.</p> <p>The use shall not commence until the approved details have been put in place.</p> <p>Reason: In the interests of residential amenity and highway safety and to ensure control over the appearance of signage in the interests of the character and appearance the development in accordance with Policies CS7, CS12, CS24 and CS27 of the Dacorum Core Strategy September 2013 and saved Policies 97 and 120 of the Dacorum Borough Local Plan 1991-2011.</p>
3	<p>The premises shall only be open to customers between 8.00 am and 5.00 pm on Tuesdays to Sundays, and not at all on Mondays. Any customers remaining on the premises after those hours shall leave the premises not later than 5.15 pm.</p> <p>The use of the premises for evening meetings or events is permitted on no more than 12 occasions per year, and visitors shall leave the premises by no later than 10.30</p>

	<p>pm.</p> <p>Reason: In the interests of the amenities of the occupants of neighbouring dwellings in accordance with Policy CS12 of the Dacorum Core Strategy September 2013.</p>
4	<p>Amplified sound or other music shall only be played in the premises.</p> <p>Reason: In the interests of the amenities of the occupants of neighbouring dwellings.</p>
5	<p>Prior to the occupation of the proposed café (Class A3) use of the development hereby permitted, a scheme for the ventilation of the premises, including the extraction and filtration of cooking fumes/odour control, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out prior to the commencement of the use hereby permitted.</p> <p>Reason: In the interests of the amenities of the occupants of neighbouring dwellings in accordance with Policy CS12 of the Dacorum Core Strategy September 2013.</p>
6	<p>Noise arising from the use of the extractor fan or any other site equipment shall not increase the existing background noise level (LA90 5mins) when measured (LAeq 5mins) 1 metre external from the nearest residential or noise sensitive premises. The applicant shall also ensure that vibration/structure borne noise derived from the use of the extractor fan does not cause noise nuisance within residential or noise sensitive premises.</p> <p>Reason: To safeguard the amenities of those premises nearby the application site and the appearance of the building as a whole in accordance with Policy CS12 of the Dacorum Core Strategy September 2013.</p>
7	<p>No tables or chairs for customer use shall be placed outside the building except as indicated on the Proposed Floor Plan.</p> <p>Reason: For the avoidance of doubt and in the interests of residential and visual amenity in accordance with Policy CS12 of the Dacorum Core Strategy September 2013.</p>
8	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>2062.01 Location Plan Existing Floor Plan Proposed Floor Plan</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p> <p>Article 35 Statement:</p> <p>Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which lead to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.</p> <p>INFORMATIVE:</p> <p>Construction Hours of Working – (Plant &amp; Machinery)</p> <p>In accordance with the councils adopted criteria, all noisy works associated with site demolition, site preparation and construction works shall be limited to the following</p>

	hours: 0730hrs to 1830hrs on Monday to Saturdays, no works are permitted at any time on Sundays or bank holidays.
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Permission be GRANTED subject to the conditions below:

## Appendix A

### Consultation responses

Aldbury Parish Council - Objection. The Parish Council considered the amended application but resolved that their objections to the earlier planning application still stood. That is to say that the Parish Council objected to the above planning application on the basis of concerns about the access to the café with users potentially accessing the café via the driveway of Church Farm House which has a difficult and partly blind exit onto Station Road. The Council are also concerned about the impact of increased numbers of cyclists on the village in terms of pedestrian safety. Even if the cyclists use the approved and signed entrance to the Church Farm complex, entering or leaving the entrance will be hazardous to cyclists in view of the combination of restricted visibility on a fairly narrow winding country road and fast moving traffic in a locality covered by the national speed limit of 60 mph. The current situation whereby cyclists can take a break or refreshments in the village itself, which is within a 30 mph speed limit, provides a safer environment for cyclists.

The Parish Council also resolved to add a further objection relating to their concern about the hazard to pedestrians walking along the carriageway in order to approach the Church Farm complex by Station Road. Concerns about pedestrian safety within Aldbury village and on the narrow country lanes approaching the village are a main theme of an ongoing road safety study commissioned by the Police & Crime Commissioner.

(5/07/18)

Conservation Officer - I have no objections to this application from a design and conservation perspective. My concerns are related to the lack of accompanying facilities – the WC (not for public use?) is positioned next to the proposed kitchenette and there appears to be an assumption that only cyclists will use the café, whereas car drivers might find it equally attractive to visit. The space might therefore soon prove to be inadequate for the purpose.

James Moir  
(2/07/18)

Environmental Health - We have no objection to the proposed application.

However, with the nature of the proposed development, the following planning conditions and informative are recommended should planning permission be granted.

#### 1). Air Extraction and Filtration Condition

Prior to the occupation of the proposed café (Class A3) use of the development hereby permitted, a scheme for the ventilation of the premises, including the extraction and filtration of cooking fumes/odour control, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out prior to the commencement of the use hereby permitted.

Reason: To safeguard the amenities of those premises nearby the application site and the appearance of the building as a whole.

#### 2). Noise levels from extract system and flue Condition

Noise arising from the use of the extractor fan or any other site equipment shall not increase the existing background noise level (LA90 5mins) when measured (LAeq 5mins) 1 metre external from the nearest residential or noise sensitive premises. The applicant shall also ensure that vibration/structure borne noise derived from the use of the extractor fan does not cause noise nuisance within residential or noise sensitive premises.

Reason: To safeguard the amenities of those premises nearby the application site and the appearance of the building as a whole.

### 3). Construction Hours of Working – (Plant & Machinery) Informative

In accordance with the councils adopted criteria, all noisy works associated with site demolition, site preparation and construction works shall be limited to the following hours: 0730hrs to 1830hrs on Monday to Saturdays, no works are permitted at any time on Sundays or bank holidays.

Kenny Aberer  
(29/06/18)

SPAR - no comment (22/06/18)

## Appendix B

### Neighbour notification/site notice responses

#### Objections

Address	Comments
CHURCH FARM HOUSE,STATION ROAD,ALDBURY,TRING,H P23 5RS	The address on the application is wrong. I live in Church Farm House and I am not applying for Change of Use. The application is for the barn directly behind my property, currently being used as an office (by Ashmei). I understand the proposal is for a cafe serving as a venue for cyclists and their bicycles. Not only will these take up a substantial amount of space such a venue can only be successful if it attracts volume. As their busiest times will be at weekends - and as the barn is just 15 yards from my backdoor* - this will dramatically and adversely affect my property. While the intention may be for customers to use the main entrance to Church Farm the barn's proximity to the old Church Farm entrance closer to the village means that a substantial part of the traffic will be coming in on a narrow roadway with a dangerous exit on to Station Road. *it is also v close to New House and Bailiffs Cottage directly behind me and opposite the applicant property.

#### Supporting

Address	Comments
Painesend Farm,Painesend,Tring,,HP2 3 6JU	We fully support the application as owners of the property in question. The use is supported by the general sentiments of planning policy CS14 and the NPPF being consistent with national planning objectives to support rural economic development.

	<p>The cafe will aid to support local recreation, leisure, tourism and employment with very limited adverse effects.</p> <p>We have a numbers of residential tenants within the site but we have no fear that the cafe will cause any issues given we would not want to blight our overall business interests.</p>
<p>23 UPPER ASHLYNS ROAD,BERKHAMSTED,,H P4 3BW</p>	<p>I am a keen local cyclist, committee member with Hemel Hempstead Cycling Club and founder/organiser of the Bovingdon Bomber cycle race series at the Bovingdon airfield and I fully support this application.</p> <p>Aldbury is a popular spot for walkers, families and cyclists and a nice coffee house would be a lovely addition to an already 'cycling themed' location (the cycle clothing company Ashmei will be next door to the coffee shop I understand).</p> <p>This venture will support and enhance a beautiful village and encourage more people to walk, ride and stay healthy.</p>
<p>271 HIGH STREET,BERKHAMSTED,,HP4 1AA</p>	<p>I am the Chairman of Berkhamsted Cycling Club with over 200 members. We regularly ride to and through Aldbury on our Saturday club rides and individually on many other occasions each week.</p> <p>Aldbury's Toms Hill is also the location of our annual inter-club hill climb competition and Ashmei have always kindly hosted our Race HQ each year.</p> <p>We are not the only cyclists that visit Aldbury frequently as it is a popular junction for many different ride routes in this area for both road and MTB cyclists. It is also popular for runners and walkers.</p> <p>I do not believe this proposal will substantially increase the amount of traffic in Aldbury as this is already there but just not being well catered for.</p> <p>At present there is no facility in Aldbury to cater for all of these active visitors allowing them to refresh and recover on their journey. The proposal to put a "cycling themed" quality coffee shop alongside Ashmei makes good sense, adding value to the village and promoting healthy lifestyles.</p>
<p>THE OLD BARN,CHURCH FARM,STATION ROAD,ALDBURY,HP23 5RS</p>	<p>As ashmei, we have delivered run and ride events over the last two years for up to 70 athletes at a time. In regard entrance and exit from Station Road, there has never once been a negative incident arising from this activity.</p> <p>It's also worth saying that the UCI has run men's and women's Tour Of Britain races through Aldbury in recent years - with all the additional traffic that this brings - without incident.</p> <p>As a business we would support a local cycling themed cafe</p>

on the site and can see no adverse effects at all.