

UTT/0352/12/FUL (FARNHAM)

MAJOR – (New building exceeding 1000sqm)

PROPOSAL: Erection of a new agricultural grain store, farm office and workshop building.

LOCATION: Land at Wickham Hall Farm, Farnham.

APPLICANT: Mr D Harvey.

AGENT: Sworders.

GRID REFERENCE: TL 520-152

EXPIRY DATE: 21 May 2012

CASE OFFICER: Mr C Theobald

1.0 NOTATION

1.1 Within Metropolitan Green Belt / Adjacent Ancient Woodland and County Wildlife Site (Essex/Hertfordshire) / Adjacent to Bridleway No.20.

2.0 DESCRIPTION OF SITE

2.1 The application site is located to the north of the A120 Bishop's Stortford bypass approximately 1.5 kilometres due south of Farnham village and comprises a large arable agricultural holding of approximately 1,186 hectares extending across into the administrative district of East Herts District Council.

3.0 PROPOSAL

3.1 This application seeks planning permission to erect a 2,157sqm (23,224 sq ft) portal framed multi-use farm building comprising grain storage and machinery storage areas, a workshop and secure parts store, spray filling and storage areas and first floor farm office (144sqm) with full width lean to open storage addition. The main section of the building would have a height to the eaves of 6.3m and height to the ridge of 10.3m, whilst the building would have an overall width of 66m and width of 35m. The building would have a typical modern farm building appearance being clad with coated box profile steel cladding under a profile sheeted roof in dark green or grey. The building would stand on a new concrete hardstanding and would be enclosed by a landscaped bund. The building would be sited towards the centre of the holding on the edge of a field on the northern side of Bloodhounds Wood approximately 750 metres due west of Wickham Hall and its associated historic farmyard grouping. A public right of way extends east-west along a farm track that runs along the edge of Bloodhounds Wood.

3.2 The application proposal follows pre-application enquiries made with Council Officers regarding the design, size and siting of the proposed building, which has resulted in a reduction of the size of the building by some 25% compared to as originally proposed.

4.0 APPLICANTS CASE: A detailed Design and Access and supporting statement has been submitted with the application setting out the justification for the proposed farm building, including an accompanying comparative site analysis report.

4.1 Conclusion of Design and Access Statement:

- National and local policy makes clear that new agricultural buildings are appropriate in the countryside within the Green Belt. Careful consideration has been given to the appropriate siting of the proposed building by undertaking a detailed comparative site

assessment and the need for the building is comprehensively set out in the justification statement.

- The scheme has been designed to minimise its impact on the adjoining County Wildlife Site to meet the requirements of relevant Local Plan policies. Other issues which were raised in the pre-application advice, including pollution control, surface water and amenity impacts have been dealt with.
- Whilst officers have raised concerns that Members may voice some disquiet regarding a planning permission granted by East Herts [for Wickham Hall] triggering the requirement for agricultural development within Uttlesford District, this concern would not be founded on the facts of the case. The buildings at Wickham Hall are unsuitable for the requirements of the farm enterprise and inhibit its competitiveness. New buildings would be required irrespective of any permissions granted at the existing farmstead. The comparative site assessment analyses a number of potential locations around the farm both in East Herts and Uttlesford Districts and concludes that the proposed location identified is the most appropriate location balancing all relevant factors. The location of these sites in relation to an arbitrary administrative boundary is not considered to be a material consideration in this analysis.
- Given the local and national policy context and the analysis and information accompanying this application, we consider that the proposal is acceptable.

- 4.2 A comparative site analysis report accompanies the application setting out the applicant's justification for the proposed building at the shown site location. A Phase 1 Habitat Report, including report on protected species, has also been submitted with the application.

5.0 RELEVANT SITE HISTORY

- 5.1 Planning permission and listed building consent was granted by East Herts District Council in 2011 for the repair and conversion of buildings at Wickham Hall (within EHDC administration area) to residential and offices, which included enabling development in line with guidance issued by English Heritage to finance the conversion scheme in view of the poor condition of a listed thatched barn to allow the repair and restoration of the barn and to secure a viable future for all of the traditional listed buildings given their unsuitability for agricultural purposes but recognised historic importance. To date that permission has not been implemented, although the approval requires the demolition of the modern and utilitarian agricultural buildings within the courtyard setting resulting in a requirement for replacement modern farmbuildings elsewhere on the holding.
- 5.2 A preliminary enquiry was made by the applicant to the Council in 2011 concerning a proposed multi-purpose agricultural building to enable more efficient grain store and farm storage facilities on the farmholding in lieu of the buildings to be lost to the EHDC approved courtyard conversions scheme and forms the basis of the current application before Members. The enquiry identified that Area 4 would be the applicant's preferred siting option within the parish boundary of Farnham. The key issues/constraints/requirements identified by Officers in consideration of that enquiry were as follows:
- That the site is wholly owned by the applicant in order to secure the finance necessary for the development;
 - The application site is located in a position that would be centrally located in order to ensure that it is accessible from all areas of land that is farmed by the applicant;
 - The site is accessible from appropriate farm tracks or public roads;
 - The site is secure;
 - The buildings and equipment would not result in detriment to any neighbouring residential properties;
 - Electricity and water supplies are close enough to service the development.
- 5.3 The view was expressed by Officers that any application for what would essentially be a new farmyard of a significant size situated within the Metropolitan Green Belt on Grade 2

agricultural land would need to be carefully considered with sufficient justification to justify why Area 4 would be the most appropriate site location within the holding compared to other sites and where its impact on the openness on the surrounding green belt and upon the adjacent Ancient Woodland/County Wildlife Site would need to be properly assessed where it was unusual for such a large scale proposal for new agricultural development to be considered. However, the view was further expressed that the proposal could be supported by UDC subject to sufficient supporting information being submitted with the application stating why this would be the most appropriate siting location for the building in addition to a scheme of mitigation to minimise the visual impact of the proposal as well as a system of sustainable drainage being demonstrated. It was stressed that limited lighting should be provided for the proposal to prevent light spill into the countryside from the development. Additionally, the following comments were made by Officers in response to the approved building conversion scheme by EHDC for Wickham Hall;

“The Officer reports and S106 legal agreements do not make any reference to a requirement that these [agricultural] buildings are demolished, although it is noted that their removal would be beneficial to the overall scheme and the setting of the listed buildings. In addition, neither of the applications indicate whether any consideration was given as to where the replacements for these buildings would be located. I understand that this is a matter which is currently under consideration through this pre-application enquiry, However, I would anticipate that [UDC] Members may query the need for this development in its present form within the Uttlesford DC boundary when it does not appear to have been considered as part of the applications determined by East Herts DC and the loss of the existing buildings as a result of that redevelopment scheme would inevitably result in the need for replacements elsewhere”.

6.0 POLICIES

6.1 National Policies

- National Planning Policy Framework

6.2 East of England Plan 2006

- Policy SS1 - Achieving Sustainable Development
- Policy SS7 - Green Belts
- Policy ENV4 - Agriculture

6.3 Essex Replacement Structure Plan 2001

- None

6.4 Uttlesford District Local Plan 2005

- Policy GEN1 - Access
- Policy GEN2 - Design
- Policy GEN4 - Good Neighbourliness
- Policy GEN5 - Light Pollution
- Policy GEN7 - Nature Conservation
- Policy ENV5 - Protection of Agricultural Land
- Policy ENV7 - Protection of the Natural Environment - Designated Sites

7.0 PARISH COUNCIL COMMENTS

- 7.1 The Parish Council considers that this represents a sound and well delivered application for a grain store proposal. However, it is critical of the submitted drawings, which do not hold sufficient information. The Parish Council have grave concerns about the size and position of the grain store as well as the potential heavy load on surrounding tracks and the requirement on local services such as water, sewerage and power as well as the

facilities for the new office and other administrative elements of the proposal. The site in question is a rural area with a significant leisure use (footpaths) and the size and position of this proposed store would not be acceptable in such a position.

8.0 CONSULTATIONS

8.1 East Herts District Council:

None received.

8.2 Essex County Council Ecology:

I can confirm the following responses to your two questions relating to the proximity of the proposals to ancient woodland and the potential impacts from the development upon bats associated with the woodland habitat:

- Natural England's draft Standing Advice for Ancient Woodland suggests a buffer of at least 15m is allowed between development and ancient woodlands. From your description of the proposal the current buffer is at least this distance;
- Lighting - to minimise adverse affects upon bats from the design and location of lighting associated with the proposed development, I would recommended a suitably worded condition to ensure the specification is consistent with best practice guidance issued by the Bat Conservation Trust.

Please note that reference to the Standing Advice for Ancient Woodlands has recently been removed from Natural England's website following the publication of the NPPF.

9.0 REPRESENTATIONS

9.1 Notification period expired 21 March 2012. Advertisement expired 29 March 2012. Site Notice expired 1 April 2012.

10.0 APPRAISAL

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

- A The impact of the proposal on the openness of the Metropolitan Green Belt / Design (NPPF and ULP Policies GEN2, GEN4 and GEN5);
- B Whether the proposal would lead to the loss of high quality agricultural land (ULP Policy ENV5);
- C Whether the proposal would have any harmful affect on protected species / designated wildlife sites (ULP Policies GEN7 and ENV7);
- D Access / Public Right of Way considerations (ULP Policy GEN1).

A) The impact of the proposal on the openness of the Metropolitan Green Belt (MGB)

10.1 The site is located within an area of Metropolitan Green Belt (MGB) on the very south-west of the district with East Herts District Council extending around the northern edge of Bishop's Stortford towards Farnham. The Government's new National Planning Policy Framework (NPPF) published on 27 March 2012 and which replaces the previous PPS's and PPG's in guiding local planning policy states that the most important attribute of Metropolitan Green Belts (MGB's) is their openness and permanence. It states that buildings for agriculture and forestry are considered appropriate within the Green Belt and so in principle the proposal is considered to be acceptable.

- 10.2 The applicant makes the case that there is a genuine and bona fide need for a new agricultural building as proposed where this would be requisite for the needs of agriculture within this established agricultural unit and where the enabling development approved for the historic courtyard grouping at Wickham Hall by EHDC in 2011 has required a new upgraded “multi-purpose” replacement farm building to be located elsewhere on the holding. The comparative site analysis report prepared by the applicant states that of the eight potential site options identified for the proposed replacement building on the holding that Area 4 (i.e. the application siting) is the preferred siting option over the other seven option sites for the reasons identified. The report concludes by saying that *“A systematic approach has been adopted to evaluating the potential locations for new farm buildings at Wickham Hall. Taking all factors into account, the above analysis indicates that Area 4 best balances landscape, historic environment, public rights of way, agricultural land quality, ecological and operations issues.”*
- 10.3 It is considered that given the various constraining factors that Area 4 is the most suitable location option for the proposed new building out of the eight options identified. Notwithstanding that the existing grain storage facilities comprise established grain silos at the front of the site along the entrance lane to Wicken Hall and that this would have been the most obvious location for the replacement building upon first examination. It is accepted that this other option site would be visually harmful from the A120 bypass looking towards the site. Furthermore, justification for the proposed location is strengthened by the existence of a line of pylons which run north-south just to the west of the proposed site location. Given this, it remains for issues of design to be considered.
- 10.4 The proposed building would be of conventional farm design. Whilst it is accepted that the building would be large given its proposed multi-use function, it would be set against the northern edge of Bloodhounds Wood where it would be visually contained from the south and where there is partial natural screening on its western side due to a native hedgerow running north-south through the farm holding. The building would be further contained and enclosed by a proposed landscaped bund. Whilst the building would clearly have an impact upon the openness of the MGB at this rural location, it is considered that its chosen position and additional screening would help to reduce its overall presence and would not in the circumstances be sufficiently harmful to warrant refusal in principle, whilst the design and appearance of the building is considered acceptable under ULP Policy GEN2 subject to the cladding colours of the roof and walls being muted to minimise the impact of the development further and for it to “blend” in with the skyline. The proposal would not have any adverse effect on residential amenity given its field location under ULP Policy GEN4.
- 10.5 In its preliminary enquiry response to the applicant, the Council advised that limited lighting should be provided to prevent any light spill into the countryside from the development given its rural positioning. It is stated that lighting is required for both operational and security purposes, particularly during periods of night working, mainly during harvest. The frontage of the building (lean-to) has been designed to have the lowest frequency of use facing Bloodhounds Wood, eliminating the need for any lighting on this elevation and ensuring that disturbance to the wood (of ecological value – see below) and the longer section of public footpath/bridleway running in front of it is minimised and a detailed lighting assessment has been included with the application to show how the layout of the building and the resultant lighting design and location points would minimise ecological and landscape impact. The effect of this low level lighting requirement under separate legislation would ensure that light intensity and spillage from the development at this rural location in mitigation would not cause undue light pollution and it is considered that the lighting requirement has therefore been met so as to be compliant with ULP Policy GEN5.

B Whether the proposal would lead to the loss of high quality agricultural land (ULP Policy ENV5);

- 10.6 The proposed building would be sited on Grade 2 agricultural land, which is defined on the DEFRA Agricultural land Classification as “best and most versatile agricultural land”. ULP Policy ENV5 states that “*developers should seek to use areas of poorer quality except where other sustainability considerations suggest otherwise*”, a position echoed by the NPPF. Whilst the proposal would lead to a reduction of Grade 2 land, the proposal is for agricultural purposes where it has been demonstrated in the application that no previously developed land within the holding is available for the proposed farm building and that other sites are not suitable. Moreover, the amount of agricultural land lost arising from the proposal would not be significant in the context of the overall size of the holding to which the new building would serve (1,200 ha). As such, it is considered that sufficient justification has been put forward in the application to demonstrate why the development should be permitted to occur on Grade 2 land under ULP Policy ENV5.

C Whether the proposal would have any harmful affect on protected species / designated wildlife sites (ULP Policies GEN7 and ENV7).

- 10.7 The proposed building would be located some 40 metres from the north side of Bloodhounds Wood, which is both an Ancient Woodland and a County Wildlife Site. The Phase 1 Habitat report states that the arable land in the area of the proposed development where the proposed building would be sited is a habitat of negligible ecological interest, whilst the adjacent Bloodhounds Wood on the other hand has habitat significance and provides tree roosting sites for several identified species of bats, including the rare Barbastelle bat and also supports other suitable terrestrial habitat. The report concludes that the proposal is unlikely to have a detrimental effect upon the wood’s Ancient Woodland status or upon identified protected species providing that a suitable lighting scheme is approved and implemented (see above), adding that the proposed landscaped bund would help to ensure that the adjacent woodland edge remains dark by acting as a buffer zone. The comments from the Essex County Council Ecology Officer regarding distance of the development from the wood and method of lighting have been met in this respect. The proposal would therefore be compliant with ULP Policies GEN7 and ENV7 and would accord with the advice contained within the NPPF with regard to bio-diversity/protected species.

D Access / Public Right of Way considerations (ULP Policy GEN1).

- 10.8 A public footpath/bridleway in the form of a track runs east-west parallel with the edge of Bloodhounds Wood. The proposed development would be located immediately adjacent to this public right of way, although would not physically impinge upon it. Any traffic using the track would be farm related as it the case at present, albeit that farm vehicle movements are likely to increase as a result of the proposal. Notwithstanding this, it is considered that it would be unreasonable to refuse the application on highway grounds under ULP Policy GEN1 given the shared use of the track on what is private ground.

11.0 CONCLUSION

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

- A The preferred site option for the replacement farm building on the holding (Area 4) would not unduly impact upon the openness and permanence of the Metropolitan Green Belt at this countryside location given its screened position and that the design of the building is acceptable subject to suitable safeguarding conditions, including lighting;
- B The application is for agricultural purposes and sufficient justification has been put forward as to why the proposed development should take place on Grade 2 agricultural land;

- C The proposal would not have a detrimental impact on the adjacent Ancient Woodland/County Wildlife Site and would not have a harmful effect on protected species subject to a suitable lighting scheme;
- D The proposal would not conflict with the usage of the public footpath/bridleway which runs parallel with the proposal site.

It is additionally considered that the application has addressed all of the planning issues identified in the Council's detailed response to the applicant's previous preliminary enquiry in respect of this proposal.

RECOMMENDATION – CONDITIONAL APPROVAL

CONDITIONS

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the approved plans as set out in the Schedule.

REASON: For the avoidance of doubt as to the nature of the development hereby permitted, to ensure development is carried out in accordance with the approved application details and to ensure that the development is carried out with the minimum harm to the local environment in accordance with the Policies of the Uttlesford Local Plan (adopted 2005) as shown in the Schedule of Policies.

3. Before development commences full details of both hard and soft landscape works for the site area shall be submitted to and approved in writing by the local planning authority. Subsequently, these works shall be carried out as approved. The landscaping details to be submitted shall include:-

- a) proposed finished levels
- b) means of enclosure
- c) hard surfacing, other hard landscape features and materials
- d) planting plans, including specifications of species, sizes, planting centres, number and percentage mix
- e) details of siting and timing of all construction activities to avoid harm to all nature conservation features
- f) location of service runs

REASON: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with Policies GEN2, GEN7, GEN8, ENV3 and ENV8 of the Uttlesford Local Plan (adopted 2005).

4. All hard and soft landscape works shall be carried out in accordance with the approved details. All planting, seeding or turfing and soil preparation comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner, and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the local planning authority.

REASON: In the interests of the appearance of the site and surrounding area in accordance with Policies GEN2, GEN7, ENV3 and ENV8 of the Uttlesford Local Plan (adopted 2005).

5. No development shall take place until details of the proposed earth bund forming part of the approved scheme have been submitted to and approved in writing by the local planning authority. These details shall include the proposed grading and mounding of land areas, including the levels and profiling/contours to be formed showing the relationship of the proposed bund to existing vegetation and surrounding landform. Development shall be carried out in accordance with the approved details.

REASON: In the interests of the appearance of the site and surrounding area in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

6. A landscape management and maintenance plan, including details of measures to protect and enhance existing flora, fauna and habitats within the adjacent Ancient Woodland and County Wildlife Site, shall be submitted to and approved by the local planning authority in writing prior to the first use of the development hereby permitted. The landscape management and maintenance plan shall be carried out as approved.

REASON: To protect both the visual amenity value of the site and surrounding area and the biodiversity value of the habitat within the adjacent woodland in accordance with Policies GEN2, GEN7 and ENV7 of the Uttlesford Local Plan (adopted 2005).

7. Before development commences, samples of materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The development shall be implemented using the approved materials. Subsequently, the approved materials shall not be changed without the prior written consent of the local planning authority.

REASON: In the interests of the appearance of the development in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

8. Notwithstanding the provisions of Part 6, Class A of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no extensions shall be constructed (other than any expressly authorised by this permission or any other grant of express planning permission) on any part of the building hereby permitted without the prior written permission of the local planning authority.

REASON: To protect the openness of the Metropolitan Green Belt in which the site is situated and to allow the Council to have control over the size and appearance of the site in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

9. Before development commences, cross-sections of the site and adjoining land, including details of existing levels around the building hereby permitted and any changes in levels proposed, together with the proposed floor levels within the building, shall be submitted to and approved by the local planning authority in writing. The development shall be carried out in accordance with the approved details.

REASON: In order to minimise the visual impact of the development within its setting and as no such details have been submitted with the application in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

10. Before development commences, full specification details of the external lighting scheme proposed for the building hereby permitted, including light fittings to be used to control light spillage, shall be submitted to and approved by the local planning authority in writing. The scheme shall thereafter be implemented in accordance with the approved details.

REASON: To ensure the development does not adversely affect the rural character of the area by reason of light pollution and does not harm protected species within the adjacent woodland in

accordance with Policies GEN2, GEN4, GEN7 and ENV7 of the Uttlesford Local Plan (adopted 2005).

11. Before development commences full details indicating the proposed foul drainage works' exact position, course and manufacturer's specifications shall be submitted for the written approval of the local planning authority. Thereafter the approved treatment plant shall be installed in line with manufacturer's instructions and subsequently properly maintained.

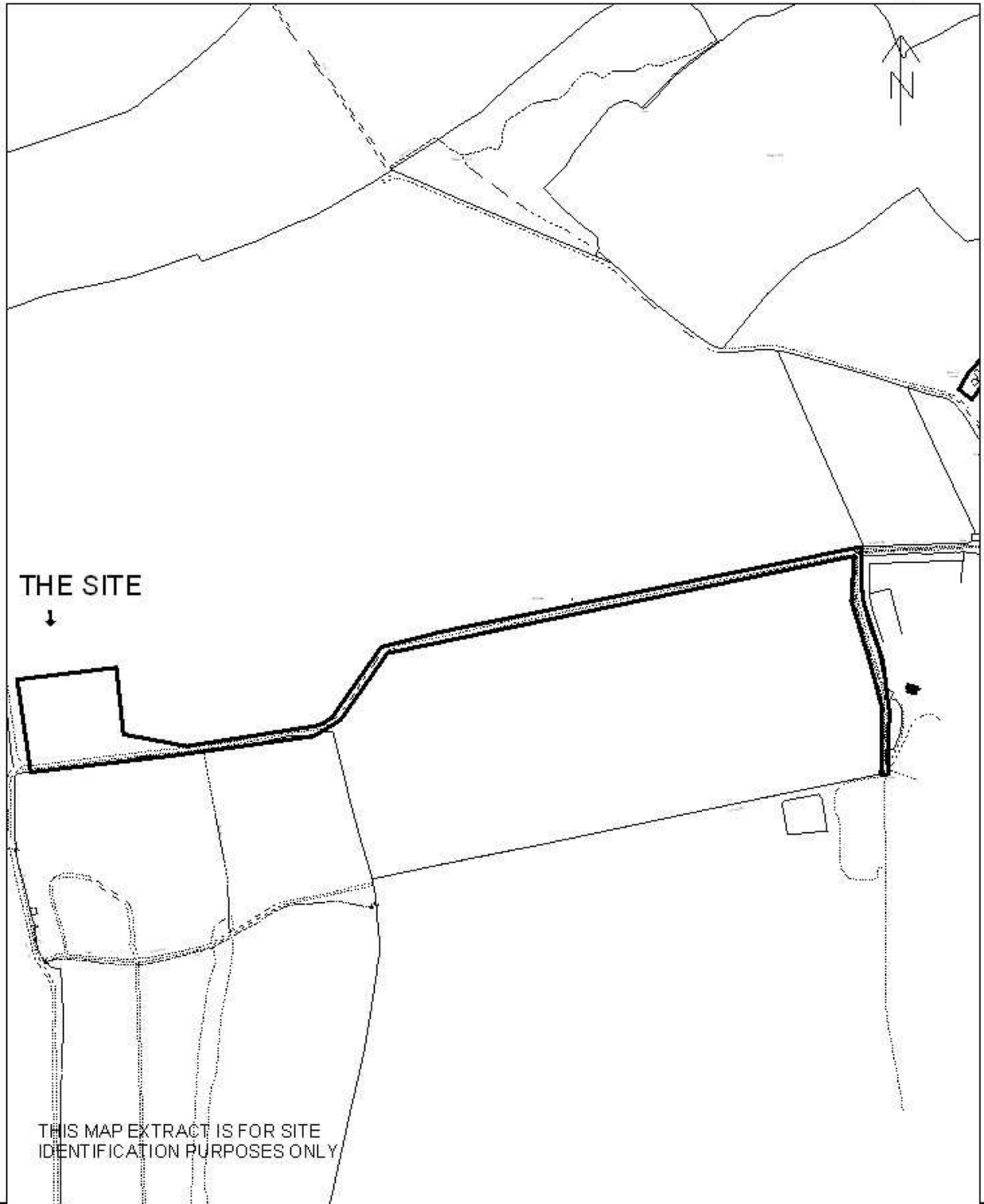
REASON: To protect the surrounding countryside and prevent pollution of the water environment in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

12. Before development commences details of the surface water disposal arrangements shall be submitted to and approved in writing by the local planning authority. These shall encompass sustainable drainage principles in accordance with the recommendations set out within the technical guidance accompanying the National Planning Policy Framework for their ongoing maintenance. The drainage shall be constructed as approved prior to the construction of the building hereby permitted and maintained in the same condition thereafter.

REASON: To control the risk of flooding to the development and adjoining land in accordance with Policies GEN2 and GEN3 of the Uttlesford Local Plan (adopted 2005).

13. The development hereby permitted shall be implemented in accordance with the scheme of mitigation/enhancement included within the Phase 1 Habitat Report prepared by Jones & Sons, Environmental Sciences Ltd dated 6 February 2012 submitted with the application and any variation thereto shall be agreed in writing by the local planning authority before such change is made.

REASON: In the interest of the protection of the wildlife value of the site in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005).



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