

UTT/13/0518/FUL (FARNHAM)

MAJOR - (New building exceeding 1000sqm)

PROPOSAL: **Erection of a new agricultural grain store, farm office and workshop building (variation of Condition 2 imposed under planning permission UTT/0352/12/FUL).**

LOCATION: **Land at Wickham Hall Farm, Farnham.**

APPLICANT: **Mr D Harvey.**

AGENT: **Sworders.**

GRID REFERENCE: **TL 520-152**

EXPIRY DATE: **31 May 2013**

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 approximately 1.5 kilometres to the south of Farnham village to the north of the A120 Bishop's Stortford bypass 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 to vary Condition 2 of planning permission UTT/0352/12/FUL by way of a minor material amendment to erect a portal framed multi-use farm building comprising grain storage and machinery storage areas, workshop and secure parts store, spray filling and storage areas, together with first floor farm office where the proposal involves various design changes to the approved building. Condition 2 of that permission reads as follows:

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.

4.0 APPLICANTS CASE:

4.1 A supporting statement has been submitted with the application setting out the reasons why the proposed changes to the approved building should be treated as a Minor Material Amendment under the s73 application process, namely:

- The modified building is very similar to that which has been approved as shown on the compare and contrast drawing, although there are minor differences. The element being purchased is the portal frame, whilst the external cladding would still be as originally shown and all doors would remain broadly in their consented locations. Lighting positions would also remain broadly the same;
- The proposed footprint of the modified building would be only 3% larger than the approved building and is well within the range justifiable by the information put forward with the original application where the need for the building was expressed as a measurement of floor area as a range rather than one specific figure given that there are a number of factors to be balanced. As such, it is argued that the changes/differences proposed are not “substantial” in nature;
- Following the grant of planning permission in 2012, the applicant has identified a second hand building frame which he wishes to erect instead of commissioning a new bespoke frame where the cost savings involved are very considerable;
- Council Officers have already informally agreed that an application using the s73 route would be appropriate and there is an acute need for the applicant to progress the construction of the building as a result of forward planning in terms of fundamental decisions which need to be taken as soon as possible regarding the enterprise over the next 12 to 18 months.

5.0 RELEVANT SITE HISTORY

5.1 Proposed multi-purpose farm building, including provision of first floor farm office to be constructed on agricultural land at Wicken Hall approved in 2012. The officer report for that application identified that an agricultural need existed for the farm building within the agricultural unit in view of the applicant’s need to rationalise operations on the farm holding when it was considered that the preferred site option for the building would not have a detrimental impact upon the openness and permanence of the Metropolitan Green Belt at this rural location given its design and appearance and its screened position adjacent to Bloodhounds Wood where it would also have the benefit of an enclosing earth bund. The report also concluded that the proposal would not have a detrimental impact on an adjacent Ancient Woodland/County Wildlife Site, would not have a harmful effect on protected species subject to a suitable lighting scheme and would not conflict with the usage of the public footpath/bridleway which runs parallel with the proposal site.

6.0 POLICIES

6.1 National Policies

- National Planning Policy Framework (NPPF).

6.2 Uttlesford District Local Plan 2005

- Policy GEN2 - Design

7.0 PARISH COUNCIL COMMENTS

7.1 No specific objections, although we are anxious that any changes do not have any negative effect on the local countryside and Bloodhounds Wood and associated

footpaths and bridleways. This is a quiet and picturesque area relatively unspoilt despite its proximity to the A120 bypass.

8.0 CONSULTATIONS

8.1 East Herts District Council:

This authority has no comments to make on the application.

9.0 REPRESENTATIONS

9.1 None received. Notification period expired 4 April 2013.

10.0 APPRAISAL

10.1 The only issue to be considered in the determination of this s73 type application is:

- Whether the changes proposed by reason of their scale and nature would result in a development which is not substantially different from the development which has been approved for this site and whether as such these changes can be treated as a minor material amendment to the approved scheme to vary condition 2 of UTT/0352/12/FUL.

10.2 As mentioned above, the need for a multi-use farm building at this rural location within the Metropolitan Green Belt was accepted under planning application UTT/0352/12/FUL when Members resolved at their meeting in May 2012 to approve the proposal in accordance with the officer recommendation and this issue does not fall to be re-considered with the current application, which seeks design changes only to the approved scheme under the minor material amendment process.

10.3 DCLG guidance provides a definition of a “minor material amendment”, namely “*A minor material amendment is one whose scale and nature results in a development which is not substantially different from the one which has been approved*”. The proposed building as modified would have a slightly larger overall footprint at 2,231sqm compared to the footprint of the approved building at 2,157sqm metres where this would represent a 3% increase, although the proposed building would have a very slightly lower roof ridge line at 10.0 metres compared to 10.2 metres for the building as approved. The building as modified would retain an overall width of 60m, although would extend further to the rear by a further 7 metres than as approved giving an overall depth of 30 metres for the main ridged building. This floorspace increase would be largely compensated, however, by a reduction in overall width of the frontage covered lean-to section where this width would be halved and where the lean-to would incorporate a lower angled sloping roof. The building would still retain a typical modern farm building appearance being clad with coated box profile steel cladding under a profile sheeted roof in dark green or grey with similar door openings. The proposed building would still be sited in the same position on the farm holding as the approved building and would still be enclosed by a landscaped bund as approved.

10.4 It is considered from the above assessment that the building changes proposed when these are compared to the farm building as approved would not be substantial in scale or nature where the overall building form and external profiling would be essentially retained, albeit that the proposed building when viewed from the east and west would have a more shallow ridged appearance given its slight reduction in ridge height and increase in building depth. As such, it is considered that the changes

proposed fall within the scope of a minor material amendment to the approved scheme where a separate grant of planning permission would not be required from the local planning authority.

11.0 CONCLUSION

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

- The changes proposed are considered not to be substantial in scale and nature and can as such be treated as a minor material amendment to the approved scheme as a variation of condition 2 of UTT/0352/12/FUL where these changes are reflected in the amended drawings accompanying the application and where a separate grant of planning permission is not required.

RECOMMENDATION – Minor material amendment agreed as a variation of condition 2 of UTT/0352/12/FUL in accordance with submitted drawings.

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).