

**4/01529/15/FUL - CONSTRUCTION OF A GENERAL PURPOSE BUILDING IN EXISTING FARMYARD.**

**BLACK ROBINS FARM, BLACK ROBINS LANE, HOGPITS BOTTOM, FLAUNDEN, HEMEL HEMPSTEAD, HP3 0FU.**

**APPLICANT: Felden Park Farms Ltd -Mr William Peck.**

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[Case Officer - Joan Reid]

## **Summary**

The application is recommended for approval. The site is located within the Green Belt wherein buildings for the purposes of agriculture are considered appropriate in accordance with the NPPF and policy CS5 of the adopted Core Strategy. The building is not considered to result in significant harm to highway safety as stated by the Highway Authority and accords with policy CS8 of the adopted Core Strategy.

## **Site Description**

The application site relates to an area of land to the south of Black Robin Lane and bounded by Black Ditch Lane to the west and Flaunden Hill to the east, comprising part of the 179 hectare agricultural holding of Sharlowes Farm. The land has a gradual slope up to the north. The boundaries are of dense hedgerow with the southern boundary abutting a drainage ditch along the side of Black Robin Lane. Permission was granted in 2011 for a large building on the site which has been constructed together with an area of hardstanding.

## **Proposal**

The application seeks planning permission for a new general purpose building measuring 16m by 24m and extending to a height of 8.75m, together with extension of the yard between the existing store and the proposed building. The building is to be framed in grey painted steel and clad in grey corrugated steel. The building is to be used for storage of machinery, fertilisers, plant etc and will also house a staff room, workshop and toilet. The new building is to be used in conjunction with the existing grain store and for operation of agricultural use of Sharlowes Farm which extends to an area of 400 acres.

## **Referral to Committee**

The application is referred to the Development Control Committee due to the contrary views of Flaunden Parish Council.

## **Planning History**

4/03742/14/AGD	CONSTRUCTION OF GENERAL PURPOSE BUILDING Prior approval not required 03/02/2015
4/00580/12/DRC	DETAILS OF HARD AND SOFT LANDSCAPING AND TREE PLANTING AS REQUIRED BY CONDITIONS 4 AND 6 OF PLANNING PERMISSION 4/01411/11 (CONSTRUCTION OF A GRAIN STORE)

Granted  
17/05/2012

4/01411/11/FUL      CONSTRUCTION OF A GRAIN STORE  
Granted  
15/02/2012

4/00700/11/AGD      CONSTRUCTION OF GRAIN STORE  
Prior approval not required  
19/05/2011

## **Policies**

### National Policy Guidance

National Planning Policy Framework (NPPF)  
NPPG

### Adopted Core Strategy

NP1 - Supporting Development  
CS1 - Distribution of Development  
CS5 - The Green Belt  
CS8 - Sustainable Transport  
CS9 - Management of Roads  
CS11 - Quality of Neighbourhood Design  
CS24 - Chilterns Area of Outstanding Natural Beauty  
CS25 - Landscape Character  
CS35 - Infrastructure and Developer Contributions

### Saved Policies of the Dacorum Borough Local Plan

Policies 99  
Appendices

### Supplementary Planning Guidance / Documents

Landscape Character Assessment (May 2004)

## **Summary of Representations**

### Bricklayers Arms

By allowing a further building to be erected to this site, I object for the following reasons:

There will be a serious injury or fatality waiting to happen as these huge tractors and articulated lorries with their huge wide loads past within 3/4 feet of our front door of the Bricklayers Arms, in Black Robbins Lane. Our Pub restaurant is in a narrow lane within the village of Flaunden which gives the only access from surrounding villages to Black Robins Existing warehouse/building.

I have had serious complaints from our patrons regarding how dangerous our little lane has become over the past year or two since the Farm building was erected with articulated wide tractor vehicles on certain days passing every 10/15 minutes.

One complaint was a customer who told me that their car was badly damaged along the side of his car and roof due to the protruding rear wide load a tractor which came from Black Robins Farm. The customer chased the tractor driver in his car for several minutes and was verbally abused by the driver who denied the incident (I have the customers details if the council would like to talk to him).

I would suggest that a council planner visits our premises one morning/afternoon and sees for themselves how dangerous these vehicles really are and how an increase in the number of these articulated vehicles could potentially seriously injure or cause a fatality to one our patrons or villagers. These huge vehicles are far too wide for our narrow lanes, drive too fast and too numerous in numbers which is having a detrimental affect on safety in the Black Robins Lane, surrounding area and on our business.

We use to be a real family pub with many children visiting on weekends but over the course of the last year or so, since the farm warehouse has been built just a few hundred meters down the road, parents are too scared to bring children to the restaurant, incase they step outside the front door and the worst happens.

These vehicles are causing untold damage to the road surface and creating holes including our car park where they encroach when passing other vehicles.

I can only see the above situations getting much worse with an increase of vehicles with the additional building if erected especially worsening during the harvest season.

I believe the original building should never have been built due to the predicted danger these vehicles bring upon our villagers and visiting patrons

### Flaunden House

I am writing in connection with the proposed new farm building on Black Robins Lane. I am familiar with the area as my house on Black Ditch Lane overlooks the existing farm building built in 2012, and I have looked carefully at the plans for the proposed additional building.

Sharlowes Farm, in the middle of Flaunden, is surely not large enough to warrant not one but two huge buildings for machinery, storage, etc. The proposed new building, along with the existing one, will obviously be to service the three farms in the area, not just Sharlowes.

I know this is not relevant to the case, but, once everything is relocated from the buildings in the middle of Flaunden, the farm owner will no doubt apply for planning permission to convert the old buildings into homes, to the detriment of the village.

The applicant says in his application that the location of the new building is 'rural and secluded'. Rural yes, secluded no. The current building is an eyesore and a second barn will only compound this. Driving into Flaunden along Black Robins Lane, one looks at it and feels disappointed that beautiful countryside such as we have around

here is so spoilt by a huge ugly metal building, right on the road, way out of proportion to a tiny village such as ours. The proposed building will have 'slightly higher eaves and ridge than existing' – so it will be an even greater blot on the landscape.

There is no doubt there is increased noise and traffic in and around the village, especially near the Bricklayers Arms, and this will continue to increase if this new building is constructed.

I urge you not to allow this planning application to be granted

### Flaunden Parish Council

Development Control Committee passed plans for a grain store on a green field site in 2011, following strong objections from Flaunden Parish Council and many local residents. The grain store was erected in 2012 to replace the existing grain store half a mile away in the centre of Flaunden Village.

Flaunden is a small village, within the green belt, with an active and thriving community. It is an area that has retained its unique character and charm as a result of careful historic planning protection.

### Reasons for Objection

The large buildings are out of character with the surrounding countryside and detrimental to the distinctive character of Flaunden. Permitted Development has already been granted for a large building and Flaunden Parish Council was extremely disappointed not to have the opportunity of commenting on this application. We believe that another large building in the green belt, and on what was previously a green field site, will completely change the character and distinctiveness of our village. The PC is surprised that an agricultural building can be approved when it is so detrimental to the local environment.

### Comments on Application

The Design and Access Statement calls the site 'Black Robins Farm'. This site is not a "farm" but a grain store with a concrete turning circle. This site has previously only been referred to as part of Sharlowes Farm, it is not a 'stand alone' farm but a yard as part of the larger farm complex, the remainder is remote from the grain store.

The proposed application states the need for further storage capacity and staff facilities which were not mentioned in the previous application – there is adequate storage at Sharlowes Farm (in the centre of Flaunden), including staff facilities, workshop and a toilet.

Applicant states that the site is 'remote from village – this is not the case. The grain store is only a short distance from a Grade II listed building The Bricklayers Arms Public House. 40 ton lorries have to pass within 2m of its front door.

Applicant mentions 'area of mature woodland to the west of the site, screening the buildings and yard area'. Unfortunately, since the erection of the grain store in 2012 this area of woodland has been significantly reduced, making the store more visible from the road than the plans would suggest.

The proposed works will have visual impact on neighbours, particularly as trees have

been removed on the site. The site can be seen by residents of Blackditch Lane, New House Farm and are highly visible from Footpath FD11, which forms part of the Chiltern Way.

### *Cropping and Farming Operations*

Applicant states the proposed building would relieve traffic going through the village. We do not believe this can be the case, indeed since the construction of the grain store in 2012 traffic going through the village, including very large vehicles from outlying farms has increased considerably, contrary to the assurances given when permission was granted. These vehicles are unsuitable for the small country lanes around Flaunden. There is no way of accessing the Grain Store without going through some part of Flaunden Village. Flaunden Parish Council do not believe the proposed traffic control plan (Appendix was not available for us to view) will relieve traffic going through the Village.

### *Proposed New Building*

Advantages are stated as ;

2/3 – Application states: 'Eliminate the need for lorries to enter Flaunden Village' and significantly reduce the number of agricultural vehicle movements along public roads'. However, there is no way of accessing the site without going through the village at some point. Herts Highways have not been able to keep up with the repair of surrounding roads nor have been able to repair the very large potholes at the side of the carriageways created by the large vehicles already accessing the grain store. Large machinery has not previously been stored in Flaunden, bringing larger vehicles into the village will have unacceptable implications to listed buildings and for residents and road users.

4 – Applicant states, 'Reduce risk of theft and damage'. To our knowledge there has been no record of any security issues at Sharlowes Farm, so we do not see any justification to the statement that the grain store will be a 'safer and more secure location'.

### Conclusion

It seems obvious that Felden Farms Ltd is bringing in grain from other farms, it is not crop yield solely from Flaunden. Why if Flaunden has the smallest crop yield would you invest in a building and propose further development on the site. Flaunden Parish Council believe that the drive is to create redundant buildings at Sharlowes Farm in the centre of the village, with the possible intention of obtaining redevelopment permission.

Whilst the proposed increase in size on the already agreed development may seem minor, it may have cumulative effects on the area, leading to a greater development and further applications in the future.

### New House Farm

1 The applicant describes the site as "Farmyard" and whilst they may have registered HP3 0FU with the postal authorities as "Black Robins Farm" it should be noted this is not a farm but an isolated large grain store with a concrete turning yard for vehicles. Erected in 2012 by Felden Farms Ltd to replace their old grain store seven hundred metres again in Sharlows Farm yard in the centre of Flaunden village - as referenced in their application.

2 The English Oxford Dictionary defines a farmyard as "a yard surround by farm buildings". The Officers/ and or Planning Committee may wish to take into consideration a question addressed to a recent Parish Meeting as to whether the application may have in mind for applying for a rural worker's dwelling on the site and in effect create a new farm yard on this site that was until recently an arable field in the Green Belt.

3 It is disappointing that the applicant did not attend the Parish Meeting unlike previous landowner who was always willing to meet with the local community.

4 There appears to be no reference to any consultation with Three Rivers District Council and/or Sarratt Parish Council. The field in which the development is proposed forms the boundary with both. They have records regarding complaints of damage and disruption caused by a number of very large 40 tonne vehicles from Felden Farms using the unsuitable narrow single track Flaunden Lane from Belsize to service the existing isolated grain store on this site. This new application is likely to exacerbate this problem.

5 Hertfordshire Highways Department have been approached to consider erecting advisory signs Not suitable for HGVs on Flaunden Lane, between Dale Farm corner and the other smaller grain store at the Belsize end of Flaunden Lane. Officers and/or the Planning Committee may wish to take this fact into consideration when considering any recommendations for this planning application.

6 The application makes reference to a Traffic Management Scheme to minimise the need for large agriculture machinery and supporting equipment to use the narrow rural lanes surrounding Felden Farms Land in and around Flaunden. Unfortunately appendix A referring to this matter is not included with the online consultation documents.

7 However it is noticeable that the headlands in the adjoining fields are already used by the applicant's workforce when undertaking the transfer of fertilisers from one tonne bags on trailers etc. In addition the applicant has widened gateways from their land into the lanes. It is assumed there is no proposal for hard-core or other inappropriate material to be used to reinforce the load bearing properties to existing headlands or field margins or for any new surfaced tracks to be created?

8 The existing grain store is highly visible (as will be the proposed store) from Footpath FD11 forming part of the Chiltern Way. It is a disappointment that Felden Farms arable planting regime generates questions and often criticism by members of the public using the Chiltern Way on why they do not follow well published guidelines on Arable Field Headlands by leaving a defined field biodiversity margin. This would be in line with recommendations supported nationally by DEFRA, the Herts local liaison Farmland Group and the CPRE, English Heritage, the NFU and others. One presumes the Officers and other the Planning Committee will take this issues into consideration should the proposed Traffic Control System create a potential environmental threat to the Biodiversity of the existing hedges and very narrow field margins or even the Chilterns Way.

9 Finally we request that the Planning Officers and or the Planning Committee should decide if this application to modify an application already approved contravenes the

NPPF guidelines for the erection of buildings in the Green Belt. This is neither a Brown Field Site nor it is an Agricultural Farmyard it is simply a request to enlarge a building to store equipment and materials on Green Belt land.

Whilst at first sight the change may appear minor it may have the potential cumulative effect to be a significant change should be enlarged isolated store require a greater degree of security leading to further applications following for example a rural workers dwelling on this site.

### Archaeological Officer

In this instance, there is unlikely to be an impact on significant heritage assets of archaeological or historic interest; therefore, I will be making no comment at this time.

### Hertfordshire Highways

Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.

Note: the slight increase in volume of the general purpose building from the approved permission of 360m<sup>2</sup> to 384m<sup>2</sup> is unlikely to lead to conditions that would in turn have a detrimental impact on the adjacent public highway.

## **Considerations**

### Policy and Principle

The NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are buildings for agriculture and forestry. As such, buildings necessary for agriculture are considered to be appropriate buildings in the Green Belt and do not need very special circumstances to justify them.

### Impact to Character of the Area

It is without doubt that the existing building which has already been erected is not domestic in scale and appears as a large prominent building within the setting. This proposal will add to the built form on the site and will appear as a large industrial scale building within the countryside. It is however, important to consider the need for agricultural buildings in the countryside which are necessary to ensure that the countryside continues to function. It is also necessary to consider that there is very limited restriction in policy terms to the erection of agricultural buildings in the Green Belt and large buildings of the same nature as currently proposed, often do not require consent. As such, it is considered that whilst, the proposed building would not improve the character of the setting, it is necessary to serve adjacent agricultural land and significant weight must be given to the permitted development fall back position.

### Impact on Trees and Landscaping

There would not be any significant harm to existing hedgerows or trees as a result of the scheme. Planting was provided which is still maturing as part of the previous

consent.

### Impact on Highway Safety

It is noted that concern has been raised from the Parish Council and neighbouring properties that as a result of the development, an increase of large vehicles would be using the immediate road network and result in potential Highway Impact. Hertfordshire Highways have been consulted on the scheme and have raised no objection.

Further information has been sought from the applicants regarding the traffic movements of the farm to and from the proposed and existing building: Removal of grain from the store takes place over a six month period. Each lorry carries 29 tonnes and the store has a capacity of 1500 tonnes – we therefore have some 52 vehicle movements which, on average, is 2 a week, however these movements would be more frequent than 2 per week during summer months. Having regard to the advice from Hertfordshire Highways, the type of vehicles that one would expect on a country road associated with agriculture and the permitted development fall back position, it is considered unreasonable to objection highway grounds. It is also noted that at the time of a site visit, there were a number of cars parked outside the Bricklayers arms on the road, which were causing obstruction in their own right.

### Impact on Neighbours

There would be harm to any neighbouring properties in terms of loss of light, privacy or visual intrusion as a result of the development.

### Other Material Planning Considerations

#### Permitted Development Rights

A certificate of Lawful Development for a building similar in size, height and location has been granted as the agricultural building would not require planning permission through the provisions of the General Permitted Development Order 2015. As such, significant weight have been afforded to this fall back position for a very similar building (1 metre less in length and less than 1m more in height). It is considered that the proposed building is not materially different in harm to that which could be constructed without requiring planning permission.

It is also noted that the Parish Council and others are concerned that permission for the proposal would give rise to redundancy of the farm located within the village and may be subject to future development. Any future development of the farm within the village would be subject to a planning consent however it is evident that the buildings are not to current standards for the agricultural use.

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

- 1 **The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**



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.

- 2 **The development hereby permitted shall be carried out in accordance with the following approved plans:**

2027-1-1  
2027-2-1  
2027-A4-20  
2027-2-2A

Reason: For the avoidance of doubt and in the interests of proper planning.