

<b>4/02120/18/FUL</b>	<b>CONSTRUCTION OF AGRICULTURAL LIVESTOCK BUILDING</b>
<b>Site Address</b>	<b>HORSEBLOCK FARM, HEATH END, BERKHAMSTED, HP4 3UF</b>
<b>Applicant</b>	<b>Mr J Joliffe, Horseblock Farm</b>
<b>Case Officer</b>	<b>Rachel Marber</b>
<b>Referral to Committee</b>	<b>Contrary View of Tring Town Council</b>

## 1. Recommendation

1.1 That planning permission be **delegated with a view to approval subject to consultation responses from Hertfordshire Highways and Rights of Way Officer**

## 2. Summary

2.1 The proposal is for a new agricultural building for the keeping of livestock which would help facilitate the farming of the 6 hectares of farm land which is contained within the application site and additional farmland which the applicant tenants. Supporting the rural economy and farming in particular is strongly encouraged within both local and national policy and therefore the provision of this additional structure accords with Policy CS5 of the Core Strategy (2013) Saved Policy 109 of the Local Plan (2004) and NPPF (2018).

2.2 Furthermore, the proposed structure would not result in significant harm to the visual amenity of the area, Chilterns Area of Outstanding Natural Beauty, residential amenity of neighbouring properties or be detrimental to matters of highways safety. The scheme therefore also accords with Policies CS8, CS11, CS12 and CS24 of the Core Strategy (2013) and Saved Policies 58, 97 and Appendices 3 and 5 of the Local Plan (2004).

## 3. Site Description

3.1 The application site comprises of 6 hectares of farm land to the sloping site on the north side of Horseblock Lane. Four existing agricultural buildings are grouped close to the site entrance. These buildings are used for the storage of equipment and machinery as well as staff accommodation. The site is located within the Metropolitan Green Belt, Article 4 Direction and Chilterns Area of Outstanding Natural Beauty.

## 4. Proposal

4.1 The application seeks permission to construct one new agricultural building to be used as a shelter for the lambing of sheep, sheep storage and veterinary site visits.

## 5. Relevant History

4/02375/17/AGD AGRICULTURAL STORAGE BUILDING

Prior approval not required

11/10/2017

4/00003/12/AGD STORAGE BUILDING

Prior approval not required

11/04/2012

4/02030/09/AGD AGRICULTURAL STORAGE BUILDING  
Prior approval not required  
24/12/2009

## **6. Policies**

### 6.1 National Policy Guidance (2018)

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

### 6.2 Adopted Core Strategy – (2013)

NP1 – Supporting Development  
CS5 - Green Belt  
CS8 - Sustainable Transport  
CS11 - Quality of Neighbourhood Design  
CS12 - Quality of Site Design  
CS24- The Chilterns Area of Outstanding Natural Beauty

### 6.3 Saved Policies of the Dacorum Borough Local Plan (2004)

Policy 58 - Private Parking Provision  
Policy 97 - Chilterns Area of Outstanding Natural Beauty  
Policy 109 – Farm Diversification  
Appendix 3- Layout and Design of Residential Areas  
Appendix 5- Parking Provision

### 6.4 Supplementary Planning Guidance / Documents

Chilterns AONB Buildings Design Guide (2013)

## **7. Constraints**

- The Green Belt
- Chilterns Area of Outstanding Natural Beauty
- Special Control for Advertisement
- Article 4 Direction

## **8. Representations**

### Consultation responses

8.1 These are reproduced in full at Appendix A

### Neighbour notification/site notice responses

8.2 These are reproduced in full at Appendix B

## 9. Considerations

### Main issues

9.1 The main issues to consider are:

- Principle of Development in the Green Belt
- Impact on Street Scene and Chilterns Area of Outstanding Natural Beauty
- Effect on Neighbours
- Impact on Highway Safety
- Consultation Response
- Community Infrastructure Levy

### Principle of Development within the Green Belt

9.2 The application site is located within the Metropolitan Green Belt. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are openness and permanence. There is the presumption against inappropriate development in the Green Belt, as advised by The National Planning Policy Framework (2018). Inappropriate development is, by definition, harmful to the Green Belt unless a case of special circumstances can be demonstrated which would outweigh this harm.

9.3 Therefore, the main issues to consider in terms of Green Belt policy are the appropriateness of the development, effect on the purpose of including land in the Green Belt, effect on the openness of the Green Belt and the impact on the visual amenity of the Green Belt. If the development is inappropriate development a case of very special circumstances would need to be put forward to justify its approval.

### *Appropriateness*

9.4 The site lies within the identified Green Belt, where the Green Belt Strategy is set out in the NPPF (Section 13: Protecting Green Belt Land). Therefore, the most relevant paragraph of the NPPF in regards to Green Belt land is Paragraph 145. This states that the construction of new buildings in the Green Belt should be regarded as inappropriate development, other than in a number of exceptions. These include buildings for agriculture and forestry, facilities for outdoor sport, outdoor recreation and for cemeteries, burial grounds and allotments, the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building, and the limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use.

9.5 Policy CS5 of the Dacorum Borough Council Core Strategy (2013) confirms, amongst other things, that the Council will apply national Green Belt policy to protect the openness and character of the Green Belt. It also indicates that small-scale development will be permitted subject to a number of criteria, including buildings for the uses defined as appropriate in national policy.

9.6 The proposed building would be used for the purposes of agriculture and therefore would

be appropriate in the Green Belt with no restrictive caveats. As such, the proposed development would comply with Green Belt Policy.

9.7 Both Local and National policy promote a strong rural economy. Paragraph 83 of the NPPF (2018) enables the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings; the wording of this paragraph specifically includes the development and diversification of agricultural businesses. Saved Policy 109 of the Local Plan (2004) states that proposals for farm diversification will be encouraged (although preference is given to the re-use of existing buildings).

9.8 The application smallholding comprises 6 hectares of farm land together with a further 120 hectares that the applicant tenant farms. The four existing farm buildings are in use for the storage of agricultural equipment and as a workshop which sufficient reasoning and justification was provided within the respective AGD applications: 4/02375/17/AGD, 4/00003/12/AGD and 4/02030/09/AGD.

9.9 The proposed building would be used for sheep lambing and housing as the building currently used will be removed. Sufficient reasoning and justification has been provided to demonstrate the proposed size and requirement of the building which would be used for the breeding of the 250 sheep owned and provision for 50 lambing pens. A further area of the storage of feed, bedding and equipment has also been provided. The height of the building has also been dictated by the requirement to fit in the 4.2 metre high livestock trailer. Given the quantum of building on the farm, the amount of livestock associated with the holding, and the size of the holding, it is considered the proposed building would be reasonably necessary for the purposes of agriculture on this site.

9.10 In order to create vehicular access to the proposed development the existing area of hardstanding has been extended. Although, this does increase hard surfacing and result in a loss to the immediate verdant aspect of the area it is considered that neutral harm to the openness of the Green Belt has resulted.

9.11 It follows that the principle of development, including a building of the size and use proposed, would be acceptable in the site's Green Belt location and would assist the rural economy in accordance with the NPPF (2018), CS5 of the Core Strategy (2013) and Saved Policy 109 of the Local Plan (2004).

#### Impact on Street Scene

9.12 Policies CS11 and CS12 of the Core Strategy (2013) and the NPPF (2018) all seek to ensure that any new development/alteration respects or improves the character of the surrounding area and adjacent properties in terms of scale, massing, materials, layout, bulk and height.

9.13 The application site is also located within the Chilterns Area of Outstanding Natural Beauty wherein the principle of development is subject to prime planning considerations which give regard to the conservation of the beauty of the area in addition to the economic and social well-being of the area and its communities. Thus, development is permitted subject to its satisfactory assimilation into the landscape and accordance with Saved Policy 97 of the Local

Plan (2004) and Policy CS24 of the Core Strategy (2013).

9.14 The Chilterns Design Guide (2010) highlights that new agricultural buildings should be well sited and in sympathy to their surroundings. New buildings should integrate with existing buildings with the use of traditional building materials. The design guide acknowledges the recent changes to farming which requires large buildings which offer increased flexibility in use and that many traditionally constructed buildings are unable to meet new standards. It is recognised that many farmers are faced with the need to erect new stock buildings or storage facilities.

9.15 The new agricultural building would be of simple, contemporary design to maximum the efficiency of space provided. Although the grey fibre cement roof sheets, concrete block foundations and juniper green profile sheeting is not in accordance with the Chilterns Building Design Guide material specification, it is considered that the proposed building would mirror the design of the four adjacent agricultural buildings. It is therefore not considered that the proposed structure would appear deleterious within its surroundings or result in significantly further harm the AONB. On the contrary, it is considered that a building of materials encouraged within the design guide would appear alien within the immediate surrounds and may result in the building appearing greater in bulk and dominance.

9.16 The proposal would not be viewed as an isolated structure in the landscape, but against the backdrop and in the context of the established farm building group on the site.

9.17 The proposed building would not result in further harm to the visual amenity of the AONB due to siting within the profile of the existing agricultural buildings granted within applications ref: 4/02375/17/AGD and 4/02030/09/ADG. In terms of longer distant views (such as from Cholesbury and Hawridge common) the proposal would not be overtly visible due to surrounding agricultural buildings.

9.18 Several public footpaths are in close proximity to the site, with one to the immediate north of the proposed structure. Although, the proposed development will extend built form closer to this public right of way the structure retains the build line of existing structures on site and therefore would not result in significantly further visual intrusion from this public vantage.

9.19 The proposed structure would be visible when travelling south-west down Horseblock Lane however, from this perspective the structure would be viewed in the context of the other agricultural structures within the application site and adjacent small holding. Views of the proposed structure when travelling north east along Horseblock Lane would be relatively limited.

9.20 As such, the development would not conflict with the aims of Policies CS11, CS12 and CS24 of the Core Strategy, Saved Policy 97 of the Local Plan (2004), the Chilterns Design Guide (2010) and NPPF (2018).

#### Effect on Neighbours

9.21 The NPPF (2018) outlines the importance of planning in securing high standards of amenity for existing and future occupiers of land and buildings. Saved Appendix 3 of the Local Plan (2004) and Policy CS12 of the Core Strategy (2013), seek to ensure that new

development does not result in detrimental impact to neighbouring properties and their amenity space. Thus, the proposed should be designed to reduce any impact on neighbouring properties by way of visual intrusion, loss of light and privacy.

9.22 The proposed building would be set within the profile of existing structures and be located at least 85 metres away from the closest neighbouring residents at Little Meadows and Hillside Farm. As such, no loss significant loss of outlook, daylight and sunlight or privacy to neighbouring residents would result.

9.23 The use of the proposed structure for the husbandry of sheep is not considered to result in a significant amount of further noise and disturbance to neighbouring residents. Thus, the proposal is considered acceptable in terms of residential amenity.

#### Impact on Highways Safety and Parking Provision

9.24 Policy CS12 of the Core Strategy (2013) seeks to ensure developments have sufficient parking provision. Paragraph 105 of the NPPF (2018) states that if setting local parking standards authorities should take into account the accessibility of the development, the type, mix and use of the development, availability of public transport; local car ownership levels and adequate provision of spaces for ultra-low emission vehicles. Policies CS8 of the Core Strategy (2013) and Saved Policy 58 and Appendix 5 of the Local Plan (2004) promote an assessment based upon maximum parking standards.

9.25 Ample parking is available on the farm. Advice from the highway authority has been sought for a highway safety point of view and regarding vehicle movements to and from the site as a result of the proposed development. The proposed structure would support an increase in livestock on the site however, the level of intensification of activities would not significantly increase so that the additional trips to and from the site following construction of the building that would compromise highway safety. It follows the proposal would satisfy the objectives of Policies CS8 and CS12 of the Core Strategy and Saved Policy 58 of the Local Plan (2004).

#### Consultation Response

9.26 Several concerns were received as a result of the application. The main concerns are addressed below:

*Overdevelopment-* The application site comprises 6 hectares with an additional 120 hectares of tenanted farm land which the applicant also manages. The four existing buildings and proposed livestock building are considered justifiable in size and number required to satisfactorily manage and farm the land.

*Requirement of building and size-* The building height is 4.675 metres to enable a 4.2 metre high trailer to fit into the building. Breeding Ewe requires 1.5 metres of pen space, the applicant has 250 sheet (for which documents showing the movement of these individual sheep over the years has been submitted). Lambing pens are required to be 2.3 metres large with 25 lambs expected. In addition to this provision for food, storage, hay etc. is also required. The building is 408m<sup>2</sup> in footprint, with a feeding passage of 46.5m<sup>2</sup>. The building proposed is smaller than this total sum however, it is sufficient in size with careful management and expectation of when indoor lambing is required.

*Long distant views of the development from the AONB-* This has been addressed within the visual amenity section above. It is acknowledged that the site is visible from the wider AONB however, the proposed structure would not be visible due to situ within the profile of the existing buildings on site.

*Impact to visual amenity of street scene and openness of Green Belt-* Buildings for agricultural purposes are acceptable in the Green Belt and no further assessment of impact to openness is therefore required. It is acknowledged that the site and proposed building would be visible from Horseblock Lane however, due to rural setting and proximity to other similarly design and sized agricultural buildings it is not considered that the proposed building would result in significant harm to the visual amenity of the area.

#### Community Infrastructure Levy (CIL)

9.27 Policy CS35 requires all developments to make appropriate contributions towards infrastructure required to support the development. These contributions will normally extend only to the payment of CIL where applicable. The Council's Community Infrastructure Levy (CIL) was adopted in February 2015 and came into force on the 1st July 2015. The development is not for residential or retail purposes and therefore is not CIL liable.

## **10. Conclusion**

10.1 The proposal is for a new agricultural building for the keeping of livestock which would help facilitate the farming of the 6 hectares of farm land which is contained within the application site and additional farmland which the applicant tenants. Supporting the rural economy and farming in particular is strongly encouraged within both local and national policy and therefore the provision of this additional structure accords with Policy CS5 of the Core Strategy (2013) Saved Policy 109 of the Local Plan (2004) and NPPF (2018).

10.2 Furthermore, the proposed structure would not result in significant harm to the visual amenity of the area, Chilterns Area of Outstanding Natural Beauty, residential amenity of neighbouring properties or be detrimental to matters of highways safety. The scheme therefore also accords with Policies CS8, CS11, CS12 and CS24 of the Core Strategy (2013) and Saved Policies 58, 97 and Appendices 3 and 5 of the Local Plan (2004).

## **11. RECOMMENDATION**

1. That the application be DELEGATED to the Group Manager, Development Management with a view to approval subject to the receipt of comments from the Highways/Rights of Way Officer.

## **Appendix A**

### **Consultation responses**

Tring Town Council

### **Objection**

The council recommended refusal of this application on the following grounds: overdevelopment of site as already 4 large buildings on a small acreage: "need" not recognised: development is clearly visible from Cholesbury and Hawridge Common and detrimental to location in Chilterns AONB.

#### DBC conservation

This site lies within the Chilterns AONB and the Green Belt. New development within the Chilterns AONB should aim to 'conserve the enhance the special qualities and characteristics of the Chilterns.'

There are various large farm buildings already on the site. The proposed portal steel frame storage building will be clad with green steel cladding and a grey fibre cement roof. It is a large structure (30 metres long and 13.5m wide) but seems to be of similar design to others on site.

The Design and Access Statement submitted with the application does not refer to the location of the site with the Chilterns AONB or consider how the new development will preserve its special qualities.

Concerns are raised in relation to whether this proposed development will conserve the special qualities and characteristics of the Chilterns AONB.

#### HCC 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.

#### INFORMATIVES

1. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website: <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.

2. Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047 COMMENTS

This application is for Construction Of Agricultural Livestock Building.

It will be sited on an existing hard standing.

#### PARKING

No parking information has been submitted with this application

#### ACCESS

No new or altered vehicle or pedestrian access is proposed and no work is required in the highway.

Horseblock Lane/Heath End is an unclassified local access road.

## CONCLUSION

HCC as highway authority considers that the proposals would not have a severe residual impact upon highway safety or capacity.

## Appendix B

### Neighbour notification/site notice responses

#### Objections

Address	Comments
LITTLE MEADOWS, HEATH END, BERKHAMSTED, HP4 3UF	<p>I own the property closest to the proposed building – Little Meadows, Horseblock Lane, heath End, Berkhamsted, HP4 3UF.</p> <p>My grounds for objection are as follows:</p> <p>Impact on the visual amenity or openness of the surrounding area</p> <p>The applicant states that the proposed new building will have little or no impact on the visual amenity or openness of the surrounding area, and that the building will not be visible from the road (Horseblock Lane) or the surrounding bridleways. This is clearly not true as the building is a large one with a length of 30 metres and a ridge height of over 6 metres. It will be visible from a large area along Horseblock Lane, and from the most of the west-facing aspects of properties along Horseblock Lane. A site visit will demonstrate this fact, as do the enclosed photos taken from Little Meadows and along Horseblock Lane (See attached). Simply put, it will ruin the view over open farmland, valleys and hills which currently exists. The public pathway which runs to the northeast and west of the field on which the proposed building will also have views to the south directly impacted.</p> <p>Furthermore, the applicant states that the building is to be erected on 'existing hard standing'. While this may be technically correct, until approximately 6 months ago the area now under hard standing was a grass field, and the applicant has spent the summer months making excavations and dumping hard core to create the hard standing.</p> <p>As this particular field has recently had a similarly large building erected, I believe the proposed new building will be an over-intensification of the use of the area.</p> <p>The stated use for the building is questionable and unclear. The applicant states that the building is required to allow veterinary treatment of sheep and an area for the lambing of sheep. There is a further statement that the applicant wishes, at some point in the future, to over-winter an un-named quantity of cattle.</p>

I am a veterinary surgeon with 28 years experience. In the UK, when sheep require treatment by a veterinary surgeon, they will, in the vast majority of cases, be brought into a small fenced off area of approximately 5m x 5m, caught, and then held by manual restraint while undergoing treatment. This area may not even be indoors, although, of course, it may be.

Lambing of sheep usually occurs outdoors, in the fields, but, if conditions outside are severe (snow, cold etc), they can be brought indoors to lamb. Again, if they need veterinary assistance to lamb, they can be brought indoors.

My question is thus of one of scale. In my view, the proposed building is much larger than would be required by the majority of farmers, for the number of sheep mentioned in the application. The proposed building is simply very much larger than would be required.

The suggested over-wintering of cattle then comes up. Cattle do need much more space, and will need over-wintering indoors. The application makes no reference to the proposed number of cattle to be kept indoors, nor is there any reference to disposal of faecal, urine and bedding waste, which, if not disposed of appropriately, will lead to smell and fly issues for neighbouring properties.

On the basis of the above, I object strongly to the above planning application.

#### Further Comments

#### Reasons for Objection:

1. The proposed development will have a detrimental affect on the visual amenity and openness of the area
2. The application for the proposed development contains inaccurate information regarding the current use of the land by referring to 'existing' hard standing which, in fact, did not exist before
3. The proposed building would, if erected, far exceed the size of building required for its stated use in the application, which is to create a facility to provide veterinary treatment of sheep and a lambing area
4. The application contains insufficient information regarding the use of the building for overwintering of cattle

#### Further evidence to support the objection follows:

Still images were obtained from drone footage taken between 19 November 2017 and 28 September 2018. The images illustrate the impact of the building of a new agricultural building on a newly created area of hard standing during this time, as well as the

	<p>impact the building of the proposed new structure will have.</p> <p>I respectfully submit that, taken individually or together, this represents an over-intensification of the available space, encroachment onto existing arable land and a significant detrimental effect on the visual amenity of the area.</p>
<p>HILLSIDE FARMHOUSE,HEATH END,BERKHAMSTED,,HP 4 3UF</p>	<p>Recent History of Site: I have lived in Horseblock Lane, very close to the proposed building, for 34 years. In the relatively recent past this 6 hectare field, (previously unnamed but now, after purchase by the applicant , primarily a contractor I believe, perhaps confusingly or even misleadingly , called "Horseblock Farm'), it was under cultivation or pasture. This was totally in keeping with and greatly complemented this AONB. Sadly this is no longer true; it is now dominated by an extreme concentration of four buildings, of very considerable size and height, together with areas of hard standing. The last was erected, bordering this beautiful country road, Horseblock Lane, for approx.30 metres, less than a year ago.</p> <p>Further building on what already could be considered over intensive development on a relatively small site, will have a considerable negative impact on the visual amenity and openness of the surrounding AONB. It would be visible from the road, surrounding footpaths and bridleways: The reverse of the above, stated in the application is not true. It will be clearly visible from Horseblock Lane, bridleways and several foot paths, including TU4 WG2, which runs close and adjacent to the proposed site in an adjoining field, and also from a wide area of surrounding open farmland, valleys and ridges including that beside Hawridge and Cholesbury Common. Thus it will significantly compromise the visual amenity and openness of this AONB.</p> <p>It cannot be deemed reasonably necessary :</p> <p>1) The considerable size and height of the proposed new building (30m in length, in excess of 6m in height) may be considered excessive for any occasional covered area needed for rearing the sheep mentioned.</p> <p>2) Solely writing of possible future plans for cattle does not allow for the details and verification advisable for a planning consent. In a different, but very similar application for the only building in a field (Aug.2016), also in Horseblock Lane, proof of documentation, for each cow in an existing, sizeable herd, was requested by Dacorum.</p> <p>N.B. The "existing hard standing forming part of general farmyard" to be used and stated in the application, has only been created in the last few months, involving the digging up of an extensive area of pasture. I would be grateful for clarification if this has any planning implications.</p>

	<p>It is with a heavy heart and sadness that I now find myself with no option but to raise this objection. Further development with yet another very sizeable building, for the reasons stated, is excessive for the size of the site and its unique location, and also not justifiable by that detailed in the application.</p> <p>Please find the following photos also attached in support of my objection.</p> <ol style="list-style-type: none"> <li>1) Present view of the site from beside Hawridge and Cholesbury Common.</li> <li>2) Just one partial existing view of the site from Horseblock Lane.</li> <li>3) Just one example of some visual amenity and openness of the surrounding area that would be destroyed by the proposal.</li> </ol>
<p>THE MARKET HOUSE,61 HIGH STREET,TRING,,HP23 4AB</p>	<p>The council recommended refusal of this application on the following grounds: overdevelopment of site as already 4 large buildings on a small acreage: "need" not recognised: development is clearly visible from Cholesbury and Hawridge Common and detrimental to location in Chilterns AONB</p>