

ITEM NUMBER:

20/03993/FUL	General Purpose Agricultural Storage Building & Hay Store, Means of Enclosure (deer proof fence) and Agricultural Track to barn	
Site Address:	Westlands Farm Station Road Aldbury Tring Hertfordshire HP23 5RS	
Applicant/Agent:	Mr J Mawson	Tom Warren
Case Officer:	Nigel Gibbs	
Parish/Ward:	Aldbury Parish Council	Aldbury & Wigginton
Referral to Committee:	The recommendation is contrary to the Parish Council's Response	

RECOMENDATION

That planning permission be GRANTED.

2. SUMMARY

2.1 The site is located within the Borough's Rural Area and Chilterns Area of Outstanding Natural Beauty wherein is a long-established agricultural working landscape. The proposed development would enable the existing farm to operate more effectively, providing a serviced modern agricultural building in accordance with the National Planning Policy Framework's economic objective in supporting the rural economy.

2.2 The building is in a location which significantly lessens the impact upon the AONB's high quality local landscape when compared with previous recent alternative proposals for a new agricultural building to serve Westlands Farm.

3. SITE DESCRIPTION

3.1 Westlands Farm is located just to the north east of Tring Station. Access to its highly elevated recently built dwellinghouse is just to the east of the Station Road- Northfield Road junction. The access is linked to an elongated rising concrete driveway lying parallel to the Ridgeway footpath, which also abuts the dwelling's north eastern rear boundary.

3.2 The Farm's fields include those to the immediate north west of the dwellinghouse's residential curtilage which are used for sheep grazing. The fields are parallel with the hedged lower Northfield Road. The nearest part of this grazing land to the dwelling is elevated, sloping towards Northfield Road and open, set against the wooded north eastern rear boundary.

3.3 The land is located in the Green Belt, Chilterns AONB, Archaeological Area of Significance no.26, Landscape Character Area LCA 111 (Tring Gap Foothills), Ground Water Source Protection Zone 3 and an Air Limits Restriction Area. The Ridgeway footpath crosses LCA 111, with the north eastern site boundary defining the boundary with LCA 115.

3.4 Westlands Farm is located also within the 1973 Article 4 Direction Area No.12: Northfield Road which withdraws agricultural permitted development rights. This is referred to by saved Appendix 9 of the Dacorum Borough Local Plan (2004) and is shown by the Plan's Proposals Map Sheet 2. There is no available documentation specifying the reasons for the Article 4 Direction.

3.5 LCA 11's analysis explains that the area is a 'transitional landscape' between the flat Aylesbury Vale and the Chilterns at the interface with its Escarpment, featuring mixed open farmland with a predominance of arable land use distinguished by medium and large fields, with the area widely visible (p83) and represents an unusual landscape in Hertfordshire.

3.6 Westlands Farm comprises of 162 (400 acres) hectares involving cattle and sheep grazing on a rotation, as well as making hay making and silaging. The Farm forms an integral part of the Painesend Farm LLP Partnership farming business. This is explained by the supporting Planning Statement:

- The Partnership has active agricultural interests across arable, beef and both commercial and pedigree sheep farming enterprises, alongside bee keeping. Past farm diversifications at nearby Church Farm in Aldbury converted a traditional farmstead courtyard into light industrial units and a café/coffee shop, which are rented to local businesses.
- Agricultural land retained around the former farmstead is part of Westlands Farm, where the sheep farming enterprises are operated.
- The Painesend Partnership has farms in sole agricultural uses at Aldbury and Puttenham with a farm at Tring, forming part of an extended family operation, which is operated by Mr P Vallis & W Lamb Ltd.
- Arable cropping within the partnership consists of 121 Ha (300 ac) barley at Painesend, 41 Ha (100 ac) grass at Westlands, 101 Ha (250 ac) grass at Puttenham and 162 Ha (400 ac) of Oil Seed Rape (OSR) at Church Farm.
- The Applicants livestock enterprises across the farming partnership include a flock of 300 commercial sheep and 50 cows. Additionally, there are 50 pedigree sheep of the Lleyn breed used for breeding.
- A neighbouring farmer also grazes 450 mules and contract rears 50 sheep for Westlands Farm on land owned by Westlands Farm. The farm employs two full time farm labourers and a full time gamekeeper.
- Both sheep and cattle are fed on a grass based system, therefore animals need to be produced with the genetic trait required in order to achieve this. By having this ability to convert forage the applicant is able to produce meat more efficiently by reducing costs incurred by buying in feed and therefore drastically reduces the carbon footprint.

4. PROPOSAL

4.1 The application seeks planning permission for a gable roof steel portal-framed 'general purpose agricultural building' located in Farm's 'lower field' at the base of the slope on a flat area of land adjoining Northfield Road hedge in a north west/ south east axis and for 2 elongated access tracks linking the building with the aforementioned driveway and the dwellinghouse. There is an associated proposed orchard to be planted to the immediate north west of the new building.

4.2 The Building. This machinery storage building incorporating a 2-bay hay barn would:

- Measure 36.576m long, 16.806m wide, with a 6.036m ridge level (eaves 4m). The gross footprint would be 615sqm, comprising of 461 sqm for the agricultural machinery barn and 154sqm for a 2 bay hay barn.
- Install the south west, north west and south east elevations in timber cladding above its grey 'security-led' concrete masonry base. The south west elevation would be in Anthracite box steel profile cladding and finished clad in timber at a later stage. The north east elevation would also be partially open for the hay barn. The roof would comprise of Eternit Profile 6

roof sheets in Anthracite Grey punctuated by a series of roof lights on both roof slopes. A galvanised roller shutter door and pedestrian door would be located in the north eastern elevation.

- Incorporate black rainwater goods, collecting rainwater from the roofs linked to black harvesting drums/tanks, with potential for the water's reuse within the applicant's agricultural unit for wheel washing tractors and for watering the proposed orchard.
- Be designed with longevity being key, involving adequate space for the storage, movement and handling of the applicant's farm machinery and connected with the farm's land management, beef and sheep farming enterprises. The applicant has confirmed that there are no buildings available within Church Farm and none at Wetlands Farm.
- Feature an owl and 2 bat boxes.
- Not served by any external lighting.

4.3 The Access Tracks

Two of the existing access (110 and 89 m) tracks would be re surfaced from recycled plastic known as 'ecogrid', being fully permeable and enabling re seeding with the grass, with the inbuilt partial rigidity designed for use by farm vehicles. A third section of track (57m) would be formed also provided with an ecogrid finish. The tracks would measure 2.5m wide with the exception of the corners which would be 2.7m wide.

4.4 Orchard

A 100 'heritage' tree orchard (about 30m by 7.5 m) would be planted on the sloping land to the north west of the proposed building bounded by 1.8m high post and rail fencing enclosure.

Background

4.5 This application follows three Prior Approval applications for agricultural buildings to serve Westlands Farm under Class 6 of the General Permitted Development Order.

4.6 Without requiring planning permission, Part 6 enables the carrying out on agricultural land comprised in an agricultural unit of 5 hectares or more in area of the following:

(A) works for the construction, extension or alteration of a building; or

(b) any excavation or engineering operations,

which are reasonably necessary for the purposes of agriculture within that unit.

4.7 For clarification prior Approval applications only the address siting, design, and external appearance of development.

4.8 *Previously Withdrawn Applications 20/00116/AGD and 20/01244/AGD for the Construction of Steel Framed Agricultural Barn to serve Westlands Farm*

4.8.1 These could not be supported by the current case officer. There were fundamental harmful landscape objections to both in elevated prominent locations with 20/01244/AGD not considered to be located on agricultural land.

4.9 *Refusal of Prior Approval*

4.9.1 The application was submitted 20/03305/AGD on 29 October 2020 and refused on 3 December 2020. This was of a similar design and location as now proposed in the current planning application.

4.9.2 Following the receipt of Application 20/03305/AGD the materials for the building were changed following LPA dialogue with the Agent.

4.9.3 Subsequently, it was noted on 23 November 2020 that the land is subject to the aforementioned 1973 Article 4 Direction, and this was confirmed to the Agent as soon as the Case Officer became aware of this designation.

4.9.4 Due to the Article 4 Direction the LPA was of the opinion that the application could not be determined through the Prior Approval procedure due to the withdrawal of agricultural permitted development rights specified by the Article 4 Direction. On this basis the application was refused for the following reason:

'The site is located on land subject to an Article 4 Direction referred to as Northfield Road, Aldbury No.12 by Appendix 9 of the saved Dacorum Borough Local Plan (2004). The Article 4 Direction dated 17 July 1973 withdraws permitted development for the carrying out of building operations which are reasonably necessary for the purposes of agriculture within the Westlands Farm agricultural unit'.

4.9.6 This decision followed legal advice to the LPA, with the Agent's/ Applicant's legal position confirming:

'The Council is required by law to issue a decision to the current application relating only to siting, design, and external appearance. Given the Article 4 Direction that is in place we would submit this should be accompanied with an informative to clarify that implementation of the development is not possible'.

4.10 *Post Refusal: Judicial Review of Decision 20/03305/AGD : Article 4 Direction: High Court Challenge*

4.10.1 The Applicant legal representative wrote to the Council on 9 December 2020 regarding a Judicial Review, including reference to the Article 4 Direction. The Council formally responded to this on 6 January 2021 with a response from the Applicants legal representative.

4.10.2 In reply DBC clarified on 23rd February 2021 that it will review the Article 4 Direction within the next 3 months/ complete its conclusions on the validity / necessity of the current Article 4 Direction.

5. PLANNING HISTORY

Planning Applications (If Any):

19/02874/FHA - Removal and repositioning of access drive
WDN - 6th March 2020

20/00116/AGD - Construction of Steel Framed Agricultural Barn
WDN - 14th February 2020

20/01244/AGD - Construction of Steel Framed Agricultural Barn
WDN - 15th June 2020

20/03305/AGD - Construction of Agricultural Building
REF - 3rd December 2020

4/02868/18/NMA - Non material amendment to planning permission 4/01439/15/FUL (demolition of all existing buildings and construction of new dwelling with basement (amended scheme))
GRA - 20th May 2020

4/01034/18/DRC - Details of materials, landscape works, driveway/fire hydrant/public right of way, management plan, written scheme of investigation, contamination, drainage, demolition scheme and additional protected species surveys as required by conditions 2, 3, 5, 6, 8,
PCO -

4/01112/02/FUL - Single storey extension to staff dwelling
GRA - 5th September 2002

4/00317/94/FUL - Change of use of part of barn to form staff dwelling (revised scheme)
GRA - 6th June 1994

4/01486/93/FUL - Change of use of part of barn to form staff dwelling
GRA - 20th January 1994

4/00203/93/LDC - Lawful development certificate-use of agricultural building for stables as an isolation unit for horses
GRA - 14th October 1993

4/01335/92/FUL - Change of use of part of barn to form staff dwelling
WDN - 19th January 1993

6. CONSTRAINTS

Special Control for Advertisements: Advert Spec Control
Area of Archaeological Significance: 26
Area of Outstanding Natural Beauty:
Article 4 Directions: Land at Northfield Road, Aldbury
CIL Zone: CIL1
Parish: Aldbury CP
RAF Halton and Chenies Zone: Green (15.2m)
RAF Halton and Chenies Zone: RAF Halton : Dotted Black Zone
Rural Area: Policy: CS7
Parking Standards: New Zone 3
EA Source Protection Zone: 3

7. REPRESENTATIONS

Consultation responses

7.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

8. PLANNING POLICIES

National Planning Policy Framework (February 2019)

National Planning Policy Guidance

National Design Guide

Dacorum Borough Core Strategy 2006-2031 (adopted September 2013)

Policy NP1 - Supporting Development
Policy CS1 - Distribution of Development
Policy CS7 – Rural Area
Policy CS12 - Quality of Site Design
Policy CS24 – Chilterns Area of Outstanding Beauty
Policy CS25- Landscape Character
Policy CS29 -Sustainable Design and Construction
Policy CS31-Water Management
Policy CS32- Air, Soil and Water Quality
Countryside Place Strategy

Dacorum Borough Local Plan 1999-2011 (adopted April 2004)

Policy 13-Planning Conditions
Policy 79- Footpath Network
Policy 97- Chilterns Area of Outstanding Natural Beauty
Policy 113 -Exterior Lighting
Policy 100- Tree and Woodland Planting
Policy 118- Important Archaeological Remains
Appendix 1 - Sustainability Checklist
Appendix 8- Exterior Lighting
Appendix 9- Article 4 Directions: No. 12 (Note: Policy 96 refers to the Article 4 Directions but is not a saved policy)

Supplementary Planning Guidance

Dacorum Landscape Character Assessment LCA 111 Tring Gap Foothills
Chilterns Design Guide
Chilterns AONB Management Plan 2019 – 2024
Revised Parking Standards (November 2020)

Sustainable Development Advice Note (March 2011)

Environmental Guidelines (May 2004)

Site Allocations

Countryside Place Strategy

9. CONSIDERATIONS

Main Issues

9.1 The main issues to consider are:

- Policy and Principle/ The Rural Economy/ The Role of Agriculture.
- Impact upon the Chilterns Area of Outstanding Natural Beauty.

The Rural Economy/ The Role of Agriculture

9.2. The National Planning Policy Framework's economic objective (Paragraph 8a) in delivering sustainable development is directly expressed through its Part 6- 'Building a strong competitive economy, with paragraph 83's support for a 'prosperous rural economy'. Paragraph 83's criteria (b) expects policies and decisions to enable the development and diversification of agriculture, with (a) supporting the expansion of all types of business in rural areas and well-designed new buildings.

9.3 The Core Strategy's approach to agriculture in the Borough is similarly positive with the Countryside Place Strategy (CPS) paragraph 26.3 explaining its important role. Set against CPS 'The Vision', the specified 'Local Objectives' include supporting the rural economy, particularly farming/local food production, with paragraphs 26.9 and 26.10 referring to agriculture's role in Delivering the Vision. Agriculture's important role is reinforced by the Site Allocations.

9.4 The CPS is set against Policy CS7 which confirms that under criteria (a) within the Borough's Rural Area agriculture is an acceptable use and that 'small- scale' development will be supported in this Area. This is provided that such development (i) has no significant impact on the character and appearance of the countryside and (ii) it supports the rural economy and maintenance of the wider countryside. This is the context for considering the proposed building and the associated access tracks to serve an established existing farm business, with agriculture supported in the Rural Area and the Chilterns AONB's working agricultural landscape (see below).

9.5 There is no definition of 'small-scale'. The proposed building is not considered to be 'small-scale' and would have a relatively significant impact on the character and appearance of the countryside. Despite their length the access tracks are designed to be seamless enabling them to be assimilated within the existing countryside without any impact, limited to the visual effects from vehicular movements. The visual assimilation will dependant upon the ecogrids being covered by the removed existing turf and re seeded, to subdue their initial impact. The building would support the rural economy.

9.6 The Agent has confirmed through the supporting documentation the farm's operational requirement for the building in this location, and reinforcing this with reference to the response from Aldbury Parish Council:

My clients (the applicants) are a local farming family who farm 2000 acres in and around Tring, Aldbury and Puttenham, Westlands is the farm house for Church Farm comprising about 400 acres of land in and around the village of Aldbury, the applicant is the livestock manager and oversees the farm in Aldbury and lives in the new farmhouse with his wife and 3 sons. The applicant would like to stress and make clear, that when they applied for the grainstore which is located adjacent to Tring Station, the Parish Council supported that application, because it keeps all large modern, high powered and of course muddy farm traffic out of the village. This new barn albeit located on the farmland itself, would also function in this manner, however, it has to be there so we can access both power and for security purposes. The existing Church Farm yard has far too many flats, houses and light industry to be safe for huge farm modern, high powered farm machinery to be operated safely'.

Please Note: The Agent has also responded to other consultee comments.

The Need for the Building of the Proposed Size in the Proposed Location: The LPA's Request for Additional Information

9.7.1 The Agent has responded to a range of questions 1 to 11 listed below, as posed by the Case Officer. These were considered necessary following the previous provisional scheduling of the application's consideration at an earlier Committee meeting and a review of the application based upon the information submitted at that time. It was considered that there was a need for greater clarification regarding the need for the building in this location and of the proposed size, taking into account closeness of Church Farm and the presence of the agricultural building so close by adjoining Tring Station.

9.7.2 The Local Planning Authority's Questions and the Agent's Answers:

Q1: *It is unclear what other existing farm buildings exist in the totality of the land farmed by the Applicant. What are these buildings used for and why can't they be used to meet the agricultural need as described in this application?*

A1: There is one 'Red Tractor Approved' grain store for the storage of combinable crops from the arable production at Church Farm (Church Farm being the physical arable land for crop assurance purposes, rather than the name of the former farm buildings). Machinery and Foodstuffs for human or livestock consumption are not mixed together as there are stringent Crop Assurance standards preventing cross contamination. There is also no electricity supply at this location.

Red Tractor Assured Food Standards is an organisation that promotes and regulates food quality in England, Northern Ireland and Wales. It licenses the Red Tractor quality mark, a product certification programme that comprises a number of farm assurance schemes for food products, animal feed and fertilizer.

Q2: *What is the modern agricultural building at Church Farm being used for? Why can't it be used to meet the need stated by the current application?*

A2: This site was sold in 2014 and is not within the ownership of Painesend Farm LLP. The proceeds were used to fund the building of the new grain store (above) and new farmhouse (Westlands).

Q3: *Would it be possible to locate the new building to the rear of the existing farm building shown above (assuming the existing farm building cannot be used)?*

A3: There is no ownership at this point. (see above)

Q4: *What is the modern agricultural building closer to Tring Station being used for? Why can't it be used to meet the need stated by the current application?*

A4: This is the new grain store erected in 2014. This site was chosen with the full support of The Parish Council in order to keep heavy farm machinery out of the village. It cannot be used to store machinery as it is a crop store subject to stringent crop assurance schemes for human and animal feedstuffs and has no electricity on site.

Q5: *Bearing in mind this application (other than orchard) is for the continuation of the farm operation as before, then it is assumed that the Applicant already owns all of the equipment / machinery that is stated to require safe storage (i.e. the list of such items in the Agricultural Statement). Is that correct?*

A5: Yes, that is correct.

Q6 *Where is this equipment / machinery currently stored?*

A6: In a building at Painesend Farm. Heavy Machinery is currently moved by tractor between Painesend and Church Farm (the land area) which is a distance of 5 miles through Tring Town centre which is especially narrow. This is far from ideal both from a practical and a health and safety point of view. Agricultural vehicles are not limited when and where they can travel and this can take place at any time of the day or night and in the most part is particularly frequent during the harvest months (summer/autumn – when the town is also busier) and spring months when drilling/planting, fertilising is also taking place, these repeated and very frequent trips would be diminished by granting the building to enable the applicant to relocate all of the machinery to the application site so as not to bring it back n forth daily, multiple times a day/week through Tring's narrow streets. Effectively, this protects the social well-being of people living within the AONB.

Q7: *It is understood that one reason seeking the new building in the proposed location is security concerns. Please provide more information / police crime reference numbers in respect of this concern.*

A7: There is no electricity at the grain store and the wheat is dried using a sizeable generator. Attempts were made by unknown persons to steal this repeatedly over the summer. James Mawson also volunteers, committing some of his valuable time to a local Hospice Charity. He previously stored materials destined for the charities shops on site in a shipping container, only for a short period during the lockdown and this was broken into and the contents spread around in the mud and rain. On every occasion there was nothing the police could do so we did not contact them. They are overstretched as it is. We simply repaired the damage ourselves.

Q8: *It is not considered that these concerns could relate to the storage of hay (bearing in mind that farmers store hay in the open ground in fields). Therefore, if the building has to stay in its currently proposed location, can the hay element (which accounts for approximately a quarter of the total size of the building) be removed?*

A8: Prism Ag would be happy to share our knowledge of the industry with officers with reference to agricultural practice:

- . Straw can be stacked outside, its usually covered with tarpaulins over the top.
- . Hay is dried grass and must be kept undercover in a well ventilated barn.
- . Silage (grass) is wet grass that is predominantly 'clamped' in concrete bunded areas, covered in large plastic sheeting or in silage bags like a long sausage in a field where it is allowed to ferment to produce winter forage for livestock.
- . Haylage is semi wet/semi dry grass which is baled and wrapped in plastic, it has less moisture content and is allowed to partially ferment, it is these that are stored outside in stacks but not hay generally – the plastic wraps come in all manner of colours from bright pink to black, to yellow and blue (these would look very outlandish in the AONB landscape where a farm building would go unnoticed).

It is important to note also, that the world is moving away from single use plastics (such as the type that farmers wrap bales in as it is not recyclable), once used it goes into landfill, why create a bigger problem when the easiest way to solve the conundrum is to not use plastics and construct a hay barn?

Firstly, **no farmers** store their valuable hay crop (produced only once per year in a short, weather dependent window) outside under the elements for it to get wet, rot and become unpalatable to livestock. So, the answer, is..No, the hay element of the building cannot be removed from the building, it is both irrational and perverse to suggest that it should be removed in the first place.

Wet hay is more likely to lead to a spontaneous combustion fire than dry hay. If hay is put into a barn or stack when it has more than about 22 percent moisture, not only does the hay lose forage quality and become unpalatable to livestock, but it has an increased risk of spontaneous combustion.

High moisture hay stacks can have chemical reactions that build heat. Hay insulates, so the larger the haystack/smaller the building or storage barn, the less cooling there is to offset the heat.

When the internal temperature of hay rises above 130 degrees Fahrenheit (55 degrees C), a chemical reaction begins to produce flammable gas that can ignite if the temperature goes high enough.

Hay fires generally occur within six weeks of baling. Heating occurs in all hay above 15 percent moisture, but generally it peaks at 125 to 130 degrees F, within three to seven days, with minimal risk of combustion or forage quality losses. Temperature within a stack then declines to safe levels in the next 15 to 60 days, depending on bale and stack density, ambient temperature and humidity, and rainfall absorbed by the hay.

To avoid hay fires, small, rectangular bales should not exceed 18 to 22 percent moisture, and large round or rectangular bales should not exceed 16 to 18 percent moisture for safe storage and the building should be well ventilated and large enough to allow ventilation around the bales. Stored hay is checked regularly with a temperature probe for this reason.

For hay to keep and remain palatable to livestock, it must be kept dry and undercover, it must also be ventilated (but not left outside).

If the LPA is suggesting a farmer ruins their entire annual hay crop by leaving it piled up next to the building, within the AONB then it will be covered in a bright blue tarpaulin as is the common tarpaulin colour.. then this would look far worse in terms of visual impact than inside a well-designed building? Again, the LPA's comment is both 'irrational and perverse' to suggest this.

Q9: *It is noted that Application 20/01244/AGD was seeking a building 24m by 10m, i.e. a footprint of 240 sqm. This compares to the present proposal, which is seeking a building 36.5 by 16.8, i.e. a footprint of 613.2 sqm. Why is there such a huge difference between what is now being sought and that which was considered necessary for the farm operation less than 12 months previously?*

A9: At the point that the first Prior Approval application was submitted by the Applicant themselves (i.e. Prior to the involvement of an appropriately qualified Agricultural Consultant in Planning), the dimensions proposed were purely 'guesswork' by the application and what they thought 'might be' large enough for all their agricultural machinery. There were, no calculations or rationale behind the dimensions proposed by the Applicant in their own application and therefore once the correct industry led calculations were factored in, the previous building proposed was far too small for the requirements of the Applicant's agricultural unit. It would be 'irrational and perverse' for the LPA to suggest otherwise in constructing a building which is of no real use for the Applicant's intended purpose, now that the appropriate methodology has been applied for calculating the minimum floorspace requirement to service the needs of the agricultural unit.

Q10: *The agricultural statement states that the cut and fill process will be minimal. However, equally the land slopes in this location, albeit not as steeply as further up the hillside. Please provide topographical information / sectional drawings that detail any land level changes proposed to this AONB hillside.*

A10: The topographical information was provided under a separate cover email sent on 10/03/2021.

Q11: *What efforts have been made to ensure that the proposed building pays more respect to this sensitive AONB location (a national designation)? In what ways has the Chilterns Design Guide*

formed the basis for the evolution of the proposed design? Is it possible for the building roofline and walls be staggered or stepped down / stepped in to break up the unrelieved bulk and mass of the building?

A11: The Chilterns Design Guide (CDG) is as previously stated, predominantly about residential development, it is not practical or desirable to build a farm building out of brick or flints in the modern day. Whilst there is a section on agricultural buildings, as previously stated in correspondence there is no requirement in the CDG for agricultural buildings to match the vernacular of the past building styles. The LPA has drawn particular attention to roof design, however, it is clear the LPA is not familiar with the CDG either as the first four bullet points in reference to roof design state in the CDG Checklists Document:

Roofs

- . Use a pitched roof with central ridge
- . Avoid flat roofs
- . Avoid roofs with unequal pitches
- . Full gabled roofs are preferred. Hipped and half-hipped roofs are less common

So whilst the author of LPA's review is requesting the walls and roofline to be 'staggered, stepped down / stepped in to break up the unrelieved bulk and mass of the building'. it is clear from the CDG Checklist that the introduction of all or any of these features in relation to rooflines is actually against the purpose of the CDG. The comments are therefore 'irrational and perverse' to suggest going against requirements of the CDG. In terms of realigning walls into say an L-shape, this would require significant groundworks and chalk removal further up the slope and create an even large broadside view from users of Northfield Road. It would also introduce a hipped roof which the CDG states is 'less common' into a landscape without any. The ridgeline on the proposed agricultural building has been kept purposely low at a 15 degree pitch to minimise the long distance views in the landscape, whereas the CDG recommends real slate roofs to have a 40 degree pitch.

9.7.3 The Agent's further clarification includes the following:

1. The current Agent (Prism Agriculture) discussed with the Applicant on his initial site visit, the pro's and cons of different siting locations, including the shape footprint of the agricultural building in order to meet their requirements both practically and logically.
2. Both the case officer and Agent agree that siting a large building atop of the ridgeline is not an appropriate siting location in this instance and that the chosen siting location best reflects natural land contours, natural screening (hedge boundaries) and the building can be sited lower down the hill than the applicant originally thought would suit.
3. The above response 1 covered a list of questions as to why other Dacorum deemed sites were not practical, and also that it is the applicants intention to actually minimise large scale agricultural vehicles going back n forth through the narrow streets of Tring from Painesend Farm outside the borough.
4. It is important to note also, that Prism Agriculture has worked tirelessly with the applicant to choose a siting location which minimises short and long distance views appropriately in the landscape, picks an appropriate design which is economically efficient to erect but also serves the purpose that it is intended to achieve.
5. Considering these points, the Agent and case officer discussed various shaped buildings. These included a typical Rectangle, a T-shape and an L-shaped agricultural building. However, in both of these latter examples, it would involve creating a substantially larger footprint than is required by a rectangular barn.

6. In addition to this, as the land topography then starts to rise, it would involve more significant groundworks to the chalklands further into the site, that the current rectangular shape seeks to protect.

7. The further the chalk is cut into the hillside, the more likely it will be required to add retaining wall structures which we felt was unnecessary at the lowest point of the land where the proposed building would be sited. In addition to this, creating either a T or L shaped into the field would create a much larger broadside view for people using Northfield Road, whereas the Rectangular shape presents two gable ends, and even then only the roofline will be visible due to the height of the hedges and the fact the building is located further into the field to minimise the long distance views.

8. We have considered all angles in presenting this application and the last Prior Approval application to the Council

The Chilterns AONB Implications

9.8 There is a need to consider the development's impact with reference to the expectations of the National Planning Policy Framework's (The Framework) Part 15 relating to 'Conserving and enhancing the natural environment' and supporting agriculture.

9.9 This is reference to the site's location in the Chilterns AONB, Dacorum Core Strategy Policies CS12, CS24, C25 and the CPS, saved Dacorum Local Plan Policy 97, the Chilterns Conservation Management Plan key policies, the Chilterns Design Guide and the Dacorum Landscape Character Assessment LCA Area 111 assessment of the local landscape/strategy. In conjunction with this, the The Framework's Part 12 expects the 'achievement (sic) of well-designed places' with the opening Para 124 emphasising that 'the creation of high quality buildings and places is fundamental to what the planning and development process should achieve'. As confirmed by Para 83(a) of the NPPF (in 'Supporting a prosperous rural economy') planning policies and decisions should enable 'the sustainable growth and expansion of all types of business in rural area, both through the conversion of existing buildings and well-designed new buildings'.

9.10 As the site is within the AONB it is essential that its special character and qualities are protected. The Framework refers to AONBs as being an asset of particular importance (footnote 6), giving great weight to protecting its landscape and scenic beauty (para. 172), and limiting the general scale/extent of development there (para. 172):

'Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas ...The scale and extent of development within these designated areas should be limited'.

9.11 The Core Strategy's paragraph 16.5 confirms that in LCAs development proposals will be expected to adhere to the guidelines, conserving, restoring or improving the landscape where appropriate.

9.9 Taking an overview the Chilterns Conservation Management Plan has numerous interacting policies which have some relevance to this application in its holistic approach to the AONB's future. Its landscape has been strongly influenced by human interaction, with 60 percent of the AONB in agricultural use.

9.10 Despite the documented decline in stock farming (sheep, beef and dairy p 60), the AONB is a working landscape being a product of centuries of human interaction:

'Farming and forestry are in decline: While the economy of the Chilterns is above the national average, forestry and farming activities such as planting and managing woodlands to produce timber and grazing livestock on the hills are in decline. Work is needed to ensure the Chilterns remain a functional, working landscape with a viable rural economy.'

9.11 In this respect the Plan recognises the role of sustainable farming. A key Vision of the Management Plan is to achieve a viable, sustainable and diverse farming environment, set against the importance of the AONB's biodiversity which is fundamental to the AONB's future. In this respect the continued grazing of land, the retention and planting of new hedges and orchards all form part of this environmental equation for the future.

9.12 In this context the Plan has farming based policies such as SP4 in supporting rural diversification that adds value to the local economy, SP6 in promoting local food, drink and craft products and DP6's reference the role of sustainable farming and forestry. In conjunction with this there is the associated reference to the AONB's ecological role/ biodiversity through farming/ landowner management.

9.13 Against this background the building's location is considered to be a major improvement when compared with the landscape impact of the 2 previous withdrawn schemes. In the proposed location the building would still satisfy the Applicant's security concerns which were the benefits from the previously proposed locations. The use of timber wall cladding and the Eternit roof (an alternative to slate) are important parts of the building's design, when considered in conjunction with the limited amount of 'cut and fill' necessary, the lower slope location set against existing boundary hedging.

9.14 However, by reason of its size and relatively isolated location the proposed building would result in a significant change within the current otherwise 'building free immediate landscape with the exception of the new dwelling and the outbuilding at Westlands Farm which is required to be removed as part of the permission for the dwelling. This is in the context of LCA 111's analysis of this area featuring a highly visible unusual 'transitional landscape' between the flat Aylesbury Vale and the Chilterns at the interface with its Escarpment.

9.15 In this respect the Chilterns Conservation Board advises:

'The CCB welcomes the proposals to plant a heritage orchard within the application. The proposed plans, however, propose a large structure with a semi-industrial appearance. It would dominate in near and more distant views and would not deliver the conserve and enhance duty as applies to the special character of the AONB. In this case that special character is manifest in the landscape character area, notably the wooded scarp slopes and the wider views between the woodland topography. Design and layout amendments may offer a resolution of this. Reference to the Chilterns Buildings Design Guide and supplementary technical notes on materials is a starting point here but any future proposal is best considered following the findings of an appropriate and proportionate landscape and visual impact assessment'.

9.16 This is set against the Chilterns Design Guide's Chapter 4 'Agricultural and other rural employment buildings'. This includes reference to the following design Checklist including:

- New agricultural and other rural employment buildings should be well sited and in sympathy with their surroundings.
- Maintain or find suitable alternative uses for older agricultural buildings.
- Avoid sensitive locations and isolated, ridgetop and prominent sites.
- Link buildings to the wider landscape.
- Consider more complex designs to improve the appearance of new buildings.
- Use 'cut and fill' only where absolutely necessary.
- Align buildings parallel to contours.
- Use subdivided roof and wall structures to reduce mass.

- Integrate new buildings with existing buildings.
- Use traditional building materials.
- Ensure that materials, designs and colours enable new buildings to complement the character and appearance of existing nearby buildings.

9.17 These themes are expressed through the Guide's Paragraphs 4.1 to 4.30, including the following:

4.2 In recent decades there have been significant changes in farming practices. Changes are reflected in differing requirements for new farm buildings. Generally, there is now a need for large buildings which offer increased flexibility in use. Many traditionally constructed buildings are unable to meet new standards and it is recognised that many farmers are faced with the need to erect new stock buildings or storage facilities. Although traditional buildings may not be appropriate for modern agriculture they may be suited to alternative uses and local employment generation will be one key way of ensuring the retention of such buildings.

4.3 When considering the design of new agricultural and other rural employment buildings it is not suggested that they directly imitate earlier forms and styles. Rather, they should be well sited and designed to be in sympathy with the character and appearance of their surroundings.

4.7 Within the AONB there are some sensitive locations where the siting, design and appearance of a new farm or employment building will be critical if assimilation into the surrounding landscape is to be achieved. Examples of such locations are sites that are close to listed buildings, ancient monuments or Conservation Areas. Such sites are best avoided if at all possible.

4.8 Isolated new buildings should also be avoided, particularly for employment use as this will tend to encourage an increasing number of journeys, often by car. When unavoidable, an isolated new building should be reduced in scale and bulk and preferably be sited in a dip or depression in the landscape or set against a hillside to reduce its visual impact. Ridgetop sites or sites that are prominent from public viewpoints should be avoided. Careful siting in relation to existing mature trees will help settle a building into the landscape. Good site planning should ensure that not all new buildings need additional planting to link them successfully with the wider landscape. Linking is not the same as screening. Furthermore, a poorly designed building is not made acceptable by screening. The aim of good design should be to integrate a building into its surroundings, not to screen a building totally from view.

4.9 Modern farm buildings often consist of large single-span structures with a steel frame and a shallow pitched roof. In more open, prominent or sensitive locations in the AONB such buildings can have a damaging impact on the landscape. It may therefore be necessary to design a building with a more complex form.

4.12 If a building is aligned parallel to the contours, limited cutting and filling may achieve the required platform. If the span of a proposed building is significant it will be worth considering a multiple span, stepped structure, to reduce excavation and filling. The stepped appearance and shadow lines at the eaves will help to reduce the apparent size and dominance of the roof.

9.18 Reference to the responses from Aldbury Parish Council, the Chilterns Conservation Board and the Chiltern Society are indicative of the conundrum when considering the operational requirements of modern farming regarding the appropriateness of new buildings such as the proposals at Westlands Farm in such a very sensitive landscape which the former Berkhamsted Rural District Council sought to protect in 1973. This Article 4 Direction has been effective in limiting change in nearly 50 years albeit there are examples of modern buildings locally which have had some impact.

9.19 The proposed development's impact has to be reasonably balanced against the inbuilt expected agricultural role of the AONB's functional working landscape, with landscapes ever evolving, being a product of the changing agricultural practices over centuries. The site's highly valued archaeological significance is an example of this previous human interaction with the environment. There is an inbuilt expectation that agriculture and the countryside should harmoniously coexist. In summary there is the most difficult equation in reasonably balancing the

safeguarding of the AONB and the key importance of farming in the AONB's long established working landscape, with a pragmatic approach to design, given the form of modern agricultural buildings.

9.20 With reference to the Westland Farm proposals in the absence of an apparent different available alternative for the building to sustain the farm with security a consideration, it is a question of what is the most appropriate long term outcome in terms of the expectations delivering sustainable development. As explained by the Framework's paragraph 7 it is about meeting the needs of the present without compromising the abilities of future generations to meet their own needs. The proposal would be in accordance with the Framework's NPPF's economic objectives by meeting the current farming operational needs of Westlands Farm and into the future, with the Core Strategy and Chilterns Management Plan supporting the importance of agriculture. This is in the context of the LPA being wholly unprepared to support the previous applications would have been very intrusive in the landscape.

9.21 There is therefore a context for considering the current application, needing to very carefully weigh the visual impact upon landscape with the apparent need for the building which would support the local economy. The question is whether the landscape impact is so significant to outweigh the farm's operational requirements, with the LPA having resisted the previous applications.

9.22 In this respect the Chilterns Management Board's specialist landscape technical response is a pivotal. The Board responds to many applications within the whole of the AONB in the knowledge of the Management Plan's expectations and policies and those of the respective LPAs with a comprehensive understanding of the local landscape, balancing the environmental and longstanding farming community's needs in a working landscape.

9.23 In being the most important specialist landscape based consultee its response is pivotal .Setting aside the Board's reference to being an appeal case and another application, its analysis focuses upon the impact upon the local landscape. In this respect **the Board's neutral overall comment of 'neither objecting to nor supporting the Planning Application', must be given substantial weight in the decision. This is notwithstanding the Board's associated commentary.**

9.24 Based upon the Board's specialist knowledge as the pivotal technical specialist consultee and its overview, and with due regard to the modern agricultural requirements and the apparent lack of alternative for the building, given the Board's overview and on **very fine balance** there is a case for the LPA to support the application.

9.25 This is in the knowledge of the Board's knowledge of the importance of agriculture in the AONB's working/ functional landscape and that in advising upon applications as a general procedural position, it has previously objected to development in the AONB at Dacorum, confirmed upon certain applications it does not intend to make any comment and has not responded to previous recent applications at Wetlands Farm.

9.26 With regard to the CROW Act's requirements and the relevant local policies there would be harm to the AONB, with the development being contrary to the relevant policies. **However, fundamentally** the Board does not object to the application as the key expert technical consultee in this sensitive location, in the knowledge of the policy background and the importance of agriculture in the AONB.

9.27 In this context, on very fine balance, it is concluded that due to the importance of agriculture to the rural economy, that the previous proposed locations for the building were fundamentally problematical and the Applicant's need for an operational building, these are material considerations which can be viewed as reasons for the application to be supported based upon the Framework's economic objectives, with due regard to the landscape impact. This takes into account that:

- Due its size and location the proposed building would have a **very** significant impact upon the AONB's currently 'development free' landscape /upon the character and appearance of the countryside. In this respect it would consequently be partially contrary to Policy CS7 (i), but is necessary for the farm operation in supporting the rural economy in accordance with Policy (ii), and
- Policy CS7 is set against Policy CS1 which confirms that: '*The rural character of the borough will be conserved. Development that supports the viability and vitality of local communities, causes no damage to the existing character of a village and/ or surrounding area and is compatible with polices protecting and enhancing the Green Belt, Rural Area and Chilterns Area of Outstanding Natural Beauty will be supported.*

Other Material Considerations

Highway / Access / Parking Issues

9.28.1 Access. Neither Hertfordshire County Council Highways nor Hertfordshire Fire & Rescue Service object to the application.

9.28.2 This takes into account the Framework's Paragraph 110 (d), Policies CS 12 (a) and (b) and saved DBLP Policy 54.

10.28.3 Use of the tracks would reduce the likelihood of farm vehicles using Station Road and Northfield Road.

Ecological Implications

9.29 Hertfordshire Ecology has confirmed that because of the nature and scale of the proposal no ecological surveys are necessary and there will be no significant impact on biodiversity, noting the role of biodiversity enhancements heritage-species orchard, wildflower sowing, native-species hedgerows, and bat and owl boxes. The lack of exterior lighting has ecological benefits. The ecological benefits would be in accordance with the Management Plan's environmental expectations, set against the major decline of orchards in the AONB.

Archaeology

9.30 Hertfordshire County Council Historic Environment considers the proposal are acceptable subject to the imposition of conditions.

Contamination/Drainage

9.31 There are no contamination objections site from the Scientific Officer, with no apparent adverse drainage implications for the Groundwater Source Protection Zone and no foul drainage issues.

Security/ Crime Prevention

9.32 Hertfordshire Constabulary Crime Reduction Officer raises no objections. This would have taken into account the building's location and no exterior lighting. The Planning Statement confirms that the location will enable the building to be seen from the dwellinghouse for security reasons.

Exterior Lighting

9.33.1 This is with reference to the NPPF's approach to light pollution through Paragraph 180 (d), Policy CS32, saved DBLP Policies 97, 113 and Appendix 8 and the Chilterns Conservation Management Plan 2019 to 2024 (Policy DP8) with due regard the AONB/ countryside setting.

9.33.2 In this E1 lighting zone the presence any lighting could have a very significant and harmful effect upon the AONB/ Rural Area. On this basis a condition has been recommended.

9.33.2 Despite the roof lights it is unlikely there would be much need for overnight internal lighting.

Effect upon Residential Amenity

9.34 Other than Westlands farm there are no dwellings close to the site.

Air Limits

9.35 NATS raises no objections.

Environmental Impact Assessment

9.36 This is not necessary.

CONCLUSIONS

10.1 The consideration of this application is based upon the Framework's economic and environmental objectives in delivering sustainable development.

10.2 But for the Article 4 Direction this part of the local landscape could have been changed by the presence of agricultural buildings and farm tracks, such as the current proposals.

10.3 The Applicant considers the building is necessary for the farm's operation, requiring a building close to the dwelling with the need to consider the security issues, without another apparent alternative.

10.4 The application needs to be considered with due regard to modern farming's operational needs, the intrinsic historic link / coexistence between agriculture and the landscape and ensuring that countryside maintains a viable working functional working landscape.

10.5 This is a finely balanced application in weighing the economic and environmental objectives of sustainable development. The proposed building is not small-scale. Due its size and location the proposed building would have a very significant impact upon the AONB's currently 'development free' landscape / upon the character and appearance of the countryside. In this respect it would consequently be partially contrary to Policy CS7 (i), but is necessary for the farm operation in supporting the rural economy in accordance with Policy (ii).

10.6 The proposed location of the building is a major landscape improvement advantage when compared with the previously withdrawn schemes.

10.7 On very fine balance it is concluded that due to the importance of agriculture to the rural economy there is a case to grant permission for the proposals with due regard to the Framework's NPPF's economic objectives in delivering sustainable development. This takes into account that the previous proposed locations for the proposed building were fundamentally problematical and resisted by the LPA due to the overriding harmful environmental /landscape impact set against the Applicant's need for an operational building

11. RECOMMENDATION

11.1 That planning permission be **GRANTED** subject to conditions.

Condition(s) and Reason(s):

1. **The development hereby permitted shall begin 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 building hereby permitted shall only be used for agricultural purposes.**

Reason: With due regard to the building's very significant visual impact upon this part of the AONB, the local planning authority has only been prepared to grant planning permission for the building due to the entirely farm based operational circumstances confirmed by the submitted information. This explains the need for the building to serve Westlands Farm in this location, of this size and in the absence of other alternatives for the Farm's operation. Permission for the building for the approved use is in accordance with the National Planning Policy Framework's economic objective.

3. **The development shall be constructed in the materials referred to by Plan No. 200.02A, and all the south western elevation reclad in timber within 18 months of the building's first use. All the rainwater goods, roller shutter door and pedestrian door shall match the cladding of the south western elevation and notwithstanding the details shown by Block Plan 200.01 Rev A the building hereby permitted shall be constructed in the dimensions specified by Plan No. 200.02A.**

Reason: In the interests of the appearance of the development in the interests of the Rural Area and the Chilterns Area of Outstanding Natural Beauty in accordance with the National Planning Policy Framework, Policies CS7 and CS24 and the Countryside Place Strategy of the Dacorum Core Strategy (2013) and saved Policy 97 of Dacorum Borough Local Plan (2004) and for the avoidance of doubt.

4. **The planting of the 100 orchard trees must be carried out within one planting season of the first use of the building hereby permitted.**

Any tree which forms part of the approved landscaping scheme which within a period of 5 years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree of the same species, size and maturity.

Reason: In the interests of biodiversity and the local environment of the Rural Area and the Chilterns Area of Outstanding Natural Beauty in accordance with the National Planning Policy Framework, Policies CS7, CS24 and CS29 and the Countryside Place Strategy of

the Dacorum Core Strategy (2013) and saved Policies 97, 99 and 100 of Dacorum Borough Local Plan (2004).

5. **No construction of the superstructure shall commence until an Archaeological Written Scheme of Investigation has been submitted to and approved by the Local Planning Authority in writing. The scheme shall include an assessment of significance and research questions; and:**

- (a) The programme and methodology of site investigation and recording.**
- (b) The programme for post investigation assessment.**
- (c) Provision to be made for analysis of the site investigation and recording.**
- (d) Provision to be made for publication and dissemination of the analysis and records of the site investigation.**
- (e) Provision to be made for archive deposition of the analysis and records of the site investigation.**
- (f) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.**

Reason: To ensure that reasonable facilities are made available to record archaeological evidence in accordance with saved Policy 118 of the Dacorum Borough Local Plan (2004), Policy CS27 of the Dacorum Borough Core Strategy (2013) and Paragraph 189 of the National Planning Policy Framework (2019).

6. **i) Development shall take place in accordance with the Written Scheme of Investigation approved under Condition 5.**

ii) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 4 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: To ensure that reasonable facilities are made available to record archaeological evidence in accordance with saved Policy 118 of the Dacorum Borough Local Plan (2004), Policy CS27 of the Dacorum Borough Core Strategy (2013) and Paragraph 189 of the National Planning Policy Framework (2019).

7. **There shall be no exterior lighting on or serving the development, including adjacent to the access tracks, other than that which has been submitted to, and received written approval from, the Local Planning Authority. Any approved exterior lighting shall be installed, and thereafter either removed, or maintained in accordance with the approved details.**

Reason: in the interests of the local environment in accordance with the requirements of Policies CS32 of the Dacorum Core Strategy (2013), Policy 113 and Appendix 8 of the saved Dacorum Borough Local Plan (2004), the National Planning Policy Framework Paragraph 181 (c) and the Chilterns Conservation Management Plan Policy DP8 with reference to the impact upon the Chilterns Area of Outstanding Natural Beauty in this E1 Lighting Zone.

8. Two bat boxes and one owl box shall be permanently installed on the building hereby permitted within three months of the first use of the building hereby permitted and thereafter shall be retained at all times. Should the bat boxes and / or owl box need to be repaired and / or replaced there shall be a period no greater than one month between the existing box(es) being removed and the repaired / replaced box(es) being installed.

Reason: In the interests of biodiversity and the local environment of the Rural Area and the Chilterns Area of Outstanding Natural Beauty in accordance with Policy CS29 of the Dacorum Core Strategy and the National Planning Policy Framework.

9. Subject to the requirements of the other conditions of this planning permission the development hereby permitted shall be otherwise carried out in accordance with the following approved plans:

**200-01Rev A
200-02 Rev A**

Reason: For the avoidance of doubt.

Informatives:

1.Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

Biodiversity

It is expected that hedges at the site are re seeded in accordance with the submitted information.

Highway Safety

1. Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.

Further information is available via the website

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> 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

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roadsand-pavements.aspx> or by telephoning 0300 1234047

3. 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

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Archaeology Unit (HCC)	<p>Thank you for consulting me on the above application.</p> <p>Please note that the following advice is based on the policies contained in the National Planning Policy Framework.</p> <p>As previously notified, with regard to application ref 20/03305/AGD, the proposed development site is in Area of Archaeological Significance no. 26, as identified in the Local Plan. This denotes an area that contains very significant evidence for Iron Age settlement including extant lengths of Grims Ditch [Historic Environment Record No 2479], which are part of a more extensive system of Iron Age dykes present in the area, prehistoric burial mounds of probable Late Neolithic/Early Bronze Age date [HER 4152, 4153], and the medieval earthwork known as Stool Baulk [HER 6316].</p> <p>In 2018 archaeological monitoring of ground works for a new building at Westlands Farm identified a massive ditch (3.6m wide) of probable Iron Age date. Subsequent work carried out in the adjacent field confirmed that its line continued to the south-west, and it is therefore also likely to form part of this system of Iron Age dykes [HER 31635].</p> <p>I believe therefore that the proposed development is such that it should be regarded as likely to have an impact on heritage assets of archaeological interest and I recommend the following, in order to provide properly for the likely archaeological implications of this development proposal.</p> <ol style="list-style-type: none"> 1. The investigation, via strip, map and record, of the footprint of the new agricultural storage building and hay store, to the archaeological horizon, prior to development commencing (n.b. this recommendation does not apply to the new orchard planting, the erection of deer proof fencing, or installation of the agricultural track); 2. The archaeological monitoring of any other groundworks related to the development (of the storage building/hay store), including

foundation trenches, service trenches, landscaping, and any other ground disturbance. This should include a contingency for preservation or further archaeological investigation of any remains encountered;

3. the analysis of the results of the archaeological work with provisions for the subsequent production of a report and an archive and if appropriate, publication of these results;

4. such other provisions as may be necessary to protect the archaeological interest of the site.

I believe that these recommendations are both reasonable and necessary to provide properly for the likely archaeological implications of this development proposal.

I further believe that these recommendations closely follow para. 199, etc. of the National Planning Policy Framework, and the relevant guidance contained in the National Planning Practice Guidance, and in the Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking in the Historic Environment (Historic England, 2015).

In this case two appropriately worded conditions on any planning consent would be sufficient to provide for the level of investigation that this proposal warrants.

I suggest the following wording:

Condition A

No demolition/development shall take place/commence until a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing.

The scheme shall include assessment of significance and research questions; and:

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

Condition B

	<p>i) Any demolition/development shall take place in accordance with the Written Scheme of Investigation approved under Condition A.</p> <p>ii) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.</p> <p>www.hertfordshire.gov.uk</p> <p>If planning consent is granted, then this office can provide detailed advice concerning the requirements for the investigation and information on accredited archaeological contractors who may be able to carry out the work.</p> <p>I hope that you will be able to accommodate the above recommendations.</p> <p>Please do not hesitate to contact me should you require any further information or clarification.</p>
The Chiltern Society	<p>On behalf of the Chiltern Society, I object to this application.</p> <p>This site is on AONB land which was a very attractive unspoilt hillside, to be enjoyed from every direction.</p> <p>Some years ago permission was given for a large residential property to be built on the high part of this hillside, in place of a small low unobtrusive building which was used for horses.</p> <p>Now there are several buildings on the site and the house is very intrusive on the landscape, in a commanding position. In fact, rather than being on the same footprint as the original building, the house was built in a higher and more exposed position.</p> <p>I object to yet another large intrusive building which will be visible from every viewpoint, even taking into account that the proposed Agricultural Storage Building & Hay Store would be on lower ground. This is not in the spirit of an Area of Natural Beauty. Adding to the plan with an orchard in the middle of the site only increases the interruption of the beautiful rolling hillside.</p> <p>When DBC allowed the large house to be built on this hillside, I did not envisage various agricultural buildings springing up on this site. Several buildings have been added since the house was built.</p> <p>Article 4 Direction strengthens the case that this is a particularly beautiful area which looks down into the unspoilt natural valley across Station Road and towards Berkhamsted.</p> <p>The entrance/exit to Westlands, is immediately adjacent to the junction of Station Road and Northfield Road. This junction is busy with traffic in all directions, including Tring Station. If more building is allowed on this site, inevitably there will be more traffic.</p>

	<p>Is it important to protect our Chiltern countryside, and remember the bigger picture of all the surrounding landscape.</p> <p>Please Note:</p> <p>1. I did support the October application, and I would be interested to know what grounds for refusal please? I have objected to the current application 20/03393/FUL which is a more ambitious plan, as this is much more intrusive on the AONB hillside. I find it hard to understand why Mr Mawson is putting forward a larger plan, when the smaller one was refused</p> <p>2. I meant to compare the October 2020 application for Construction of Agricultural Barn, with the current application 20/03393/FUL for General Purpose Agricultural Storage Building & Hay Store, Deer Proof Fence and Agricultural Track to Barn, and the applicant also mentions an orchard in the middle of the site.</p> <p>There were three applications in less than a year!</p>
Parish/Town Council	<p>Aldbury Parish Council Object</p> <p>The proposed building will have a visual impact detrimental to the Chiltern AONB. In recent years the local area has seen development of the nearby (and associated) residential property which is already intrusive on this landscape. The Council also makes the following observations. The documentation for this application fails to mention that the site is in the AONB. Nearby Church Farm, which forms part of this commercial operation, has historically been the centre of agricultural operations in this area and would be more suitable for this type of structure in that it would blend in with existing structures rather than being located in an open greenfield site. Such an approach would be in line with Dacorum Borough Local Plan Adopted 2004, in which Policy 97 Chilterns Area of Outstanding Natural Beauty, Section (d) Agriculture, 2nd bullet point, states: "Activities requiring new building should be avoided if possible. Where new building is necessary, it should be sited unobtrusively and designed to maintain the character and quality of the countryside: siting close to, and integrated with, existing complexes of farm buildings is normally preferred.</p>
Hertfordshire Ecology 15.02.2021	<p>Thank you for consulting Hertfordshire Ecology on the above. I apologise for the delay with this reply.</p> <p>I am not aware of any habitats or species data for the site, which lies within an agricultural grassfield. I understand biodiversity enhancements (heritage-species orchard, wildflower sowing, native-species hedgerows, bat and owl boxes) are proposed to achieve biodiversity net gain from the development, which is welcomed.</p>

	<p>Due to the nature and scale of the proposal, I do not consider any ecological surveys are necessary and there will be no significant impact on biodiversity. Consequently, I have no ecological objection to this proposal, and the application can be determined accordingly.</p>
<p>Hertfordshire Highways (HCC)</p>	<p>Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council (HCC) as Highway Authority does not wish to restrict the grant of permission.</p> <p><u>Highway Informatives</u></p> <p>HCC as Highway Authority recommends inclusion of the following Advisory Note (AN) to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980:</p> <p>AN) 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.</p> <p>AN) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.</p> <p>Further information is available via the website https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx or by telephoning 0300 1234047</p> <p>Comments / Analysis</p> <p>The application comprises of the erection of an agricultural storage building and associated works at Westlands Farm, Station Road. Station Road is designated as a classified C local distributor road, subject to a speed limit of 60mph and is highway maintainable at public expense.</p> <p>There is an existing vehicle access into the farm from Station Road, which would remain unaltered from a highway perspective. The new proposed agricultural access track would commence approximately 8 to</p>

	<p>10m from the edge of the highway carriageway. Although not included as part of this application, any vehicular entrance gates would need to be set back a sufficient distance to enable the largest anticipated vehicle to use the access to stand clear of the highway carriageway whilst any gates are being opened and/or closed.</p> <p>Following consideration of the nature of the highway and location of the access into the site, all vehicles would also need to be able to easily turn around and egress to the highway in forward gear.</p> <p>It is considered that the general size and layout of the site would be sufficient enough to facilitate this.</p> <p><u>Conclusion</u></p> <p>HCC as Highway Authority has considered that the proposals would not have an unreasonable impact on the safety and operation of the surrounding highway network. The development is unlikely to result in a significant change in the number of vehicles using the site, particularly as the plans are linked to the existing farm. HCC has no objections or further comments on highway grounds to the application, subject to the inclusion of the above informatives</p>
<p>Chilterns Conservation Board</p> <p>16th February 2021</p>	<p>Customer made comments neither objecting to or supporting the Planning Application</p> <p>CCB Comments</p> <p>General Purpose Agricultural Storage Building & Hay Store, Means of Enclosure (deer proof fence) and Agricultural Track to barn at Westlands Farm Station Road Aldbury Tring Herts</p> <p>Dacorum BC reference: 20/03993/FUL</p> <p>CCB has reviewed this application against AONB landscape matters, as consistent with our responsibilities as set out in the CROW Act at section 87.</p> <p>The Board also recommends that the decision-maker takes into account the following:</p> <ul style="list-style-type: none"> - The Chilterns AONB Management Plan (http://www.chilternsaonb.org/conservation-board/management-plan.html), which deals with the special qualities of the Chilterns and the development chapter notes that 'the attractiveness of the Chilterns' landscape is due to its natural, built and cultural environment. It is not a wilderness but countryside adorned by villages, hamlets and scattered buildings'. - In the 2019-2024 Management Plan, the Development Chapter includes a policy DP2, which is a key and overarching policy that applies in such cases. - DP2 Reject development in the AONB unless it meets the following criteria: <ul style="list-style-type: none"> a. it is a use appropriate to its location, b. it is appropriate to local landscape character,

c. it supports local distinctiveness,
d. it respects heritage and historic landscapes,
e. it enhances natural beauty,
f. ecological and environmental impacts are acceptable,
g. there are no detrimental impacts on chalk streams, h. there is no harm to tranquillity through the generation of noise, motion and light that spoil quiet enjoyment or disturb wildlife, and i. there are no negative cumulative effects, including when considered with other plans and proposals. Policy DP2 sets out what to consider in order to give great weight to conserving and enhancing the AONB. It applies to all development in the AONB, both minor and major.

The site is located within the Tring Gap Foothills (LCA 111), with notable wooded scarp slopes and views to the escarpment. The Ridgeway national trail passes to the east and provides elevated views (some glimpsed through the tree belt) towards this site. The CCB welcomes the proposals to plant a heritage orchard within the application. The proposed plans, however, propose a large structure with a semi-industrial appearance. It would dominate in near and more distant views and would not deliver the conserve and enhance duty as applies to the special character of the AONB. In this case that special character is manifest in the landscape character area, notably the wooded scarp slopes and the wider views between the woodland topography. Design and layout amendments may offer a resolution of this. Reference to the Chilterns Buildings Design Guide and supplementary technical notes on materials is a starting point here but any future proposal is best considered following the findings of an appropriate and proportionate landscape and visual impact assessment.

The Chilterns AONB is nationally protected as one of the finest areas of countryside in the UK. Public bodies and statutory undertakers have a statutory duty of regard to the purpose of conserving and enhancing the natural beauty of the AONB (Section 85 of CroW Act).

The Chilterns Conservation Board is a body that represents the interests of all those people that live in and enjoy the Chilterns AONB. We set out below the legal and policy tests that apply.

Legislation and Policy Tests, including AONB Management Plan.

Taken overall, the appeal site is within a sensitive part of this nationally protected landscape. In that respect key planning policy is as:
- the AONB Management Plan 2014-2019 at L5 - 'Developments which detract from the Chilterns' special character should be resisted'
- section 85 (i) of the Countryside and Rights of Way (CROW) Act -'In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall

have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty'

- paragraph 172 of the National Planning Policy Framework (NPPF)-'Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty'; and

- Dacorum Local Plan Policy 97 regarding the Chilterns AONB, In the Chilterns Area of Outstanding Natural Beauty the prime planning consideration will be the conservation of the beauty of the area; the economic and social well-being of the area and its communities will also be taken into account. Any development proposal which would seriously detract from this will be refused. Wherever development is permitted it will be on the basis of its satisfactory assimilation into the landscape. Every effort will be made to discourage development and operations that would adversely affect the beauty of the area. Landowners are encouraged to adopt the following planning guidelines which will contribute to the preservation and enhancement of the area. The Council will adhere to the guidelines whenever considering planning applications: (a) New Buildings and Other Development - Development must not be intrusive in terms of noise, disturbance, light pollution, traffic generation and parking. Building, plant and structures must be sympathetically sited and designed, having regard to natural contours, landscape, planting and other buildings; there should be no adverse effect on skyline views. Colours and materials used for a development must fit in with the traditional character of the area. (and continues).

- The duties pertinent to a conservation board are set out in the CROW Act at section 87 'General purposes and powers' It is the duty of a conservation board, in the exercise of their functions, to have regard to-(a) the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty, and (b) the purpose of increasing the understanding and enjoyment by the public of the special qualities of the area of outstanding natural beauty, but if it appears to the board that there is a conflict between those purposes, they are to attach greater weight to the purpose mentioned in paragraph (a).

2.2. The AONB Management Plan is a material consideration, as confirmed in Planning Practice Guidance. A new Management was approved in February 2019 and now applies. To assist the Inspector we have identified the key policies, from the Management Plan Development Chapter, as apply to this case.

The planning objectives in the Management Plan are to:

DO1 Ensure planning decisions put the conservation and enhancement of the AONB first.

DO2 Ensure that where development happens, it leaves the AONB better than it was before - richer in wildlife, quieter, darker at night, designed to have a low impact on the environment, and beautiful to look at and enjoy.

DO3 Embrace opportunities to restore natural beauty on sites currently degraded by unsympathetic development, infrastructure or dereliction.

A number of detailed Chilterns AONB Management Plan policies are relevant to the merits as raised in this appeal and the notice of refusal:

DP1 Ensure planning decisions take full account of the importance of conserving and enhancing the natural beauty of the AONB and the great weight given to its protection in the NPPF.

DP2 Reject development in the AONB unless it meets the following criteria:

- a. it is a use appropriate to its location,
- b. it is appropriate to local landscape character,
- c. it supports local distinctiveness,
- d. it respects heritage and historic landscapes,
- e. it enhances natural beauty,
- f. ecological and environmental impacts are acceptable,
- g. there are no detrimental impacts on chalk streams,
- h. there is no harm to tranquillity through the generation of noise, motion and light that spoil quiet enjoyment or disturb wildlife, and
- i. there are no negative cumulative effects, including when considered with other plans and proposals.

DP3 Refuse planning permission for major development in the AONB unless there are exceptional circumstances and where there is a clear demonstration it is in the public interest.

DP5 Require a Landscape and Visual Impact Assessment that meets the standards in the GLVIA latest edition for developments in the AONB or affecting its setting.

DP7 Only support development that is of the highest standards of design that respects the natural beauty of the Chilterns, the traditional character of Chilterns vernacular buildings, and reinforces a sense of place and local distinctiveness. Require a Design and Access Statement to accompany every application, explaining how it complies with the Chilterns Buildings Design Guide www.chilternsaonb.org/conservation-board/planningdevelopment/buildings-design-guidance

DP8 Keep skies dark at night by only using light where and when needed. All new lighting should be the minimum required and meet or

	<p>exceed guidance for intrinsically dark zones. Avoid architectural designs that spill light out of large areas of glazing.</p> <p>DP10 Make sure that all development that is permitted in the AONB or affecting its setting delivers a net gain for the Chilterns by a. on-site improvements for biodiversity, landscape, the rights of way network, AONB visitor facilities, and/or b. financial contributions, secured through s1065, CIL, or offsetting schemes, towards wider green infrastructure projects that enhance the AONB by meeting the aims of this AONB Management Plan.</p>
Environmental And Community Protection (DBC)	<p>Noise & Air Quality</p> <p>No objection on noise or air quality grounds.</p> <p>Land Contamination</p> <p>Having reviewed the application submission and the ECP Team records I am able to confirm that there is no objection on the grounds of land contamination. Also, there is no requirement for further contaminated land information to be provided, or for contaminated land planning conditions to be recommended in relation to this application.</p>
Civil Aviation Authority	Comments awaited.
Hertfordshire Fire & Rescue	I am currently waiting to hear from our water officer regarding the nearest fire hydrant to the proposed building. I could not see in the information any reference to the weight bearing capacity of the proposed "ecotrack" access track, do you or the applicant know what the weight bearing capacity is?
Crime Prevention Design Advisor	<p>I do not have any objections relating to planning application 20/03993/FUL, however I would ask the client to consider security, if they would like crime prevention advice then please contact me.</p> <p>I have notified Sgt Hemmings (Rural Policing Team) for his information</p>
Ministry Of Defence (Wind Farms)	Thank you for consulting the Ministry of Defence (MOD) on the above proposed development which was received by this office on 18/01/2021. I can confirm the MOD has no safeguarding objections to this proposal.
National Air Traffic Services	The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

	<p>However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.</p>
Hertfordshire Building Control	Comments awaited.
Conservation & Design (DBC)	Comments awaited.

APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
0	3	1	2	0

Neighbour Responses

Address	Comments
The Chiltern Society	Reported above.
4 Fog Cottages Tring Station Tring Hertfordshire HP23 5QP	<p>This plan has already been refused by the planning officer due to restrictions on the land? The same objections as before. Proposed access to this large storage barn would bring people using a national right of way (Ridgeway path) in to conflict with potentially large machinery and access on to the road would be on a dangerous bend and narrow road. The need for a large storage barn is questionable and the owners of the residential property have not complied with previous applications to remove the existing out buildings. Does the residential property having planning permission to be a farm? The area is near an SSSI and in the AONB.</p> <p>This plan has already been refused by the planning officer due to restrictions on the land? The same objections as before. Proposed access to this large storage barn would bring people using a national right of way in to conflict with potentially large machinery and access on to the road would be on a dangerous bend and narrow road. The need for a large storage barn is questionable and the owners of the residential property have not complied with previous applications to remove the existing out buildings. The area is near an SSSI and in the AONB</p>

The Chilterns Conservation Board	Reported above.
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