

<b>ITEM NO:</b> 6.3	<u>Location:</u>	<b>Land East Of Walk Wood Cokenach Estate, Track South From Track From Cambridge Rd To Cokenach Into Cokenach, Barkway, Royston</b>
	<u>Applicant:</u>	<b>NHP (UK) Ltd</b>
	<u>Proposal:</u>	<b>Erection of two grainstore buildings</b>
	<u>Ref.No:</u>	<b>08/00467/ 1</b>
	<u>Officer:</u>	<b>Richard Tiffin</b>

**Date of expiry of statutory period :** 30 June 2008

**Reason for Referral to Committee**

Size of buildings

**1. Relevant History**

- 1.0 Planning permission was granted under reference 05/00786/1 for a grain store off the B1368 in 2005. This building will not be required if permission is granted for this proposal.

**2. Policies**

- 2.0 District Local Plan No 2 Policy 6 - Rural Areas beyond the Green Belt
- 2.1 District Local Plan No 2 Policy 19 - Historic Parks and Gardens
- 2.2 District Local Plan No 2 Policy 16 - Areas of Archaeological Significance and other Archaeological Areas.

**Regional / National Policy**

- 2.3 PPS 7 - Sustainable Development in Rural Areas
- 2.4 East of England Plan - ENV5 Woodlands

**3. Representations**

- 3.1 **Hertfordshire Highways** - To be reported.
- 3.2 **Barkway Parish Council** - No objection.
- 3.3 **Herts County Council** (archaeology) - No objection subject to a condition requiring investigation.
- 3.4 **Herts County Council** (rights of way) - No objection subject the straw burner being located as far from the bridleway as possible.
- 3.5 **English Heritage** - Has deferred to local specialist advice and National guidance.

## **4. Planning Considerations**

### **4.1 Site & Surroundings**

4.1.2 The application site comprises a large area of land immediately to the east of the mature woodland adjacent to the Cokenach building complex and known as 'Walk Wood'. The site is accessed via the main estate entrance following the road around the estate buildings and then east along a substantial track through the wood.

### **4.2 Proposal**

4.2.1 The proposal seeks permission for two substantial agricultural buildings measuring approximately 24m by 54m and 9m to the ridge. These buildings would be separated from a track running adjacent to the wood by 8m and 8m from each other. To the east (onto open farmland) the scheme specifies a gap of 8m followed by a 9m planting belt.

4.2.2 The buildings themselves are specified in profile steel sheeting over-clad with timber boarding. A shallow pitched roof is specified in grey fibre cement profile sheeting. Access to the buildings would be via large steel up and over doors at either end.

4.2.3 One of the buildings would accommodate 3000 tonnes of grain and a general store (fertiliser, feed etc). The second would be used to house a straw heating boiler, straw and a general maintenance workshop. This building would contain a small rest area and toilets for estate workers.

4.2.4 The buildings would be accessed via the existing estate access onto the B1368.

### **4.3 Key Issues**

4.3.1 The issues here can be summarised as follows:

- general principle
- landscape and biodiversity impacts
- amenity impacts
- access and highway issues
- de-commissioning
- archaeology and historic asset considerations

4.3.2 The proposal represents agricultural development. Policy 6 of the Local Plan allows for certain development in the rural area beyond the Green Belt ***"if it is strictly necessary for the needs of agriculture ...."*** and ***"provided that the proposal positively improves the rural environment"***. PPS 7 underscores the Government's support for agricultural development which, among other things, allows farmers to adapt to changing markets, comply with changing legislation and become more competitive.

4.3.3 It should be noted that Policy 6 sets the requirement that development should 'positively improve' the rural environment. With large utilitarian agricultural structures, such as that proposed, it will invariably be difficult to achieve this. However, reading Policy 6 with the PPS, I would suggest that necessary agricultural development of this scale can be acceptable subject to the applicant taking reasonable steps to minimise impact and enhance local landscape and biodiversity. This being my interpretation, I would suggest that the principle of this particular development can be accepted provided that the applicant has taken all reasonable steps to minimise harm, particularly landscape impacts or that these matters can be secured by condition.

- 4.3.4 Turning now to matters of landscape impact, the position of the proposed buildings to the east of Walk Wood, would act to significantly reduce visual impact. The maturity of the woodland is such that the buildings would only be visible when approaching Cokenach from the east along the bridleway. This said the scale of the buildings would be such as to render them significantly prominent in views west. In this regard the applicant is proposing a 9m belt of new tree planting. While I think that such a belt is essential, I consider that the tree belt should be deeper than the 9m specified and would recommend a condition requiring at least 20m. Such a tree belt would also help to improve opportunities for biodiversity.
- 4.3.5 In terms of amenity issues other than visual impacts there is the question of the increased vehicular activity along the bridleway. I have consulted the County Council's rights of way officer and he is generally not concerned other than to make a couple of observations about navigation and noise from the proposed new boiler.
- 4.3.6 The Highway Authority has not commented at the time of writing this report but I will be in a position to update Members on the night of the committee.
- 4.3.7 I consider that purpose built structures of this scale should be de-commissioned at the end of their useful life for the stated purpose both for environmental reasons and to prevent any subsequent any inappropriate use of the buildings. Accordingly I would recommend a condition requiring the buildings to be dismantled, removed from the site and disposed of in an environmentally friendly manner when no longer fit for the purpose granted. Moreover, I would also recommend a condition which precludes the implementation of the permission granted in 2005 for the alternative grain store provision elsewhere on the estate.
- 4.3.8 The Council's specialist Conservation Officer is not of the view that the proposal would have any deleterious impacts on the listed building or Registered park. English Heritage has deferred to this opinion. The County Council's archaeologist has requested that a condition be imposed securing an on-site investigation prior to works commencing.

#### 4.4 **Conclusion**

- 4.4.1 These are undoubtedly large structures and will have a short to medium term impact in views from the east. However, it is accepted that the needs of modern farming are such as to require buildings of this scale. In my view those proposed have been appropriately located and, subject to a number of critical conditions, that permission should be granted.

### **5. Legal Implications**

- 5.1 In making decisions on applications submitted under the Town and Country Planning legislation, the Council is required to have regard to the provisions of the development plan and to any other material considerations. The decision must be in accordance with the plan unless the material considerations indicate otherwise. Where the decision is to refuse or restrictive conditions are attached, the applicant has a right of appeal against the decision.

### **6. Recommendation**

- 6.1 That planning permission be **GRANTED** subject to the following conditions:
1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country  
PLANNING CONTROL (18.6.08)

Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out wholly in accordance with the details specified in the application and supporting, approved documents and plans, or with minor modifications of those details which have previously been agreed in writing by the Local Planning Authority as being not materially different from those thereby permitted.

Reason: To ensure the development is carried out in accordance with details which form the basis of this grant of permission.

3. Prior to any works to implement this permission commencing, a detailed landscaping scheme, showing at least a 20m native woodland boundary to the east, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following:

- a) which, if any, of the existing vegetation is to be removed and which is to be retained

- b) what new trees and hedges are to be planted, together with the species proposed and the size and density of planting

- c) maintenance schedules and an ongoing management plan, including details of rabbit and deer protection measures.

- d) details of any earthworks proposed

Reason: To ensure the quality and character of the rural environment around the development is successfully enhanced.

4. The approved details of landscaping shall be implemented before the end of the first planting season following the commencement of the development. Any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced during the next planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to vary or dispense with this requirement. The agreed management plan and maintenance schedule shall be operated for a minimum period of 10 years.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality.

5. No external lighting shall be affixed to the building or located on the site without the prior written approval of the Local Planning Authority.

Reason: To protect the visual amenities of the rural area.

6. No development shall take place within the proposed development site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority

Reason: To safeguard the archaeological record.

7. Not later than 6 months after the development hereby approved becomes operational, a scheme for the restoration of the site, including the dismantling and removal of all building elements above and below ground, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in full within 12 months from the date that the buildings cease to be used for the agricultural purposes specified in this permission. This scheme shall include a statement as to the method of disposal of building elements.

Reason: To safeguard the character and appearance of the natural environment in the longer term.

8. The permission granted under LA ref 05/00786/1 shall not be implemented following the material commencement of the scheme hereby approved.

Reason: In the interests of safeguarding the openness and character of the rural area.

#### **Reason for Decision**

The agricultural buildings hereby permitted is deemed appropriate development in the rural area subject to the submission of a satisfactory landscaping scheme and compliance with other conditions. Accordingly, the proposal is deemed to comply with the relevant provisions of the development plan as set out below:

#### **North Hertfordshire District plan No 2 with Alterations.**

Policy 6 - Rural Areas beyond the Green Belt.

#### **East of England Plan**

Policy ENV5 Woodlands