

3/07/0977/FP – Agricultural buildings to establish cattle breeding unit at land accessed from Browns Corner, Wyddial for Mr Edward Noy.

Date of Receipt: 10.05.2007

Type: Full

Parish: WYDDIAL

Ward: BUNTINGFORD

RECOMMENDATION

That planning permission be **REFUSED** for the following reasons:-

1. The location of the proposed development is isolated and is not within or adjacent to other existing buildings. Whilst alternative sites have been considered by the applicant no information has been submitted to demonstrate that the isolated location is essential to meet the needs of the agricultural holding. It is therefore considered that the proposed development would have a harmful impact on the character and appearance of the countryside, contrary to policy GBC7 of the East Hertfordshire Local Plan Second Review (April 2007).

_____ (097707FP.SCD)

1.0 Background

- 1.1 The application site is shown on the attached OS extract.
- 1.2 The site comprises an isolated field located some 300 metres north of Brown's Corner at the end of an unmade track. The applicant proposes to erect three agricultural buildings sited close to the northern edge of an existing belt of field boundary trees to support the establishment of a pedigree herd of South Devon cattle. Two of the buildings will face in towards each other with a central alley, creating an area for breeding and winter housing cattle. The third building will be used for the storage of hay and equipment.
- 1.3 The buildings are traditional steel portal-framed agricultural sheds designed to BS5502 Class II; with steel stanchions on concrete foundations. The external cladding for the ends and one side comprises concrete panels to a height of 2 metres with traditional Yorkshire timber boarding above. The roof cladding is proposed to be cement fibre Profile 6 reinforced corrugated sheets with GRP Profile 6 roof lights and plastic rainwater goods. All three buildings will measure 32 x 12.9 metres, covering some 412 sqm in area each. They will rise to 5.8 metres in height.

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2.0 Site History

- 2.1 No relevant planning history exists for an agricultural unit at this location.
- 2.2 A related application for a new mobile home (3/07/0976/FP), to be constructed to support the proposed agricultural unit, is also listed on this Committee Agenda.

3.0 Consultation Responses

- 3.1 The Council has employed Hertfordshire County Council Rural Estates Principal Land Agent to comment on the viability of the proposal. The comments provided by the Land Agent are discussed in further detail in the considerations section below.
- 3.2 The Environment Agency has no objections to the proposal.
- 3.3 Hertfordshire County Council's County Development Unit have commented regarding sustainable waste management, should the Authority be minded to grant permission for the proposed development.

4.0 Parish Meeting Representations

- 4.1 Wyddial Parish Meeting commented on the timescales involved in determining this application and the related application 3/07/0976/FP.

5.0 Other Representations

- 5.1 The application has been advertised by way of press notice, site notice and neighbour notification.
- 5.2 One letter of comment has been received from a neighbour. The neighbour states that he has no objections to this proposal, and makes other comments in relation to the mobile home application (3/07/0976/FP) that are irrelevant to the consideration of the development proposed.

6.0 Policy

- 6.1 Policy GBC3 (Appropriate Development in the Rural Area beyond the Green Belt) states that within the Rural Area, agricultural development constitutes one of the specified forms of appropriate development.

- 6.2 Policy GBC7 states that proposals for new agricultural buildings should be located within or adjacent to an existing group of buildings unless it can be demonstrated that a more isolated location is essential to meet the needs of the holding.

7.0 Considerations

- 7.1 Policy RA3 of the Local Plan states that agricultural development is acceptable in principle within the Rural Area. Policy GBC7 seeks to preserve the character of the Rural Area and prevent sporadic development by lending favour to agricultural buildings that are located in close proximity to other existing buildings. However, the policy is also mindful of the economic requirement of agricultural holdings, in stating that more isolated locations for such development may be considered, provided that it is demonstrated that a more isolated location is essential to meet the needs of the holding.
- 7.2 The site is, by the applicant's own contention, situated in an isolated location, some 400 metres from the western edge of Wyddial and away from any other buildings agricultural or otherwise. I therefore consider that the main determining issue in this case is whether the agricultural buildings are essential to meet the needs of the applicant's holding, and the impact the proposals have on the character of the Rural Area.
- 7.3 Hertfordshire County Council's Principle Land Agent has met with the applicant to discuss the merits of the case and has provided Officers with his overall analysis of the scheme. He states that the applicant owns 450 acres of land. This forms around a quarter of the Noy family's Corneybury Farm estate based in Buntingford.
- 7.4 In March 2006 Edward Noy purchased the nucleus of a pedigree South Devon beef suckler herd which has been housed in the cattle buildings at Corneybury. The cattle are not part of a partnership arrangement so he has been renting the buildings from his brother and also rents a cottage at Corneybury, where he lives. However in 2002 My Noy's brother received planning permission (LPA ref: 3/02/1877/FP) to convert the former cattle buildings for commercial purposes and they will therefore no longer be available for Edward Noy to use. The applicant has therefore submitted this planning application for a new beef cattle breeding unit at Browns Corner, Wyddial.
- 7.5 The applicant has provided financial forecasts which indicate that the proposed enterprise could be profitable when fully established on the application site. The Principal Land Agent states that 'by my own calculations I doubt whether expenditure of around £100,000 on the new

beef unit could be justified in financial terms for a commercial beef suckler herd of the size proposed by the applicant, but because he proposes to sell pedigree breeding cattle -- both bulls and heifers -- to other cattle breeders, the returns should be significantly greater than for a commercial herd. The financial viability, therefore, is mainly dependent on the ability to breed and sell pedigree stock'.

- 7.6 The Principal Land Agent states that 'It should be pointed out that the beef enterprise will not be Mr Noy's only source of income, because he will continue to farm the arable land in partnership with his brother at Corneybury. Of the 450 acres which he owns, 70 acres close to the proposed beef unit have been put down to grass for the cows and calves to graze during the summer months and there is, therefore, a considerable balance remaining to be cropped on an arable rotation. The plans submitted with the application do not actually show the full extent of the farmland in the applicant's ownership'.
- 7.7 I consider that this is a critical issue for the determination of this scheme. Policy GBC7 states that 'proposals for new agricultural buildings should be located within or adjacent to an existing group of buildings unless it can be demonstrated that a more isolated location is essential to meet the needs of the holding'. As previously stated the site is isolated within the Rural Area, and not located within proximity to any other buildings. The proposal therefore clearly fails to meet the policy test outlined in GBC7. It is therefore for the applicant to demonstrate to the Local Planning Authority whether the site is essentially required to meet the needs of his holding.
- 7.8 In the opinion of the Principal Land Agent the development does not constitute an essential facility required to meet the needs of the applicant's holding, as a substantial remaining area of the applicant's estate will continue to be farmed on arable rotation. It is also apparent from the Land Agent's analysis that the applicant owns other land which has not been included in the information submitted with the application. No further information has been submitted to demonstrate why this location is required and, given the substantial proposed investment in the buildings being made it is not in my view necessary that the considered sites relate only to land already in the applicant's ownership. In addition given that he resides locally and that an application for a further agricultural related residential property has been submitted, I would have thought an appropriate location close to his existing property to be explored and discounted.
- 7.9 Furthermore, whilst I concede that the site will be screened behind trees to Browns corner, I note that to the North and West, the buildings are located at the top of a valley crest and would feature prominently in long views of the surrounding landscape. This location is not in my opinion suitable for the

buildings proposed as here they would constitute a sporadic and intrusive form of development that the provisions of Local Plan rural policies seek to avoid. As previously outlined the applicant has not demonstrated circumstances that might outweigh the visual harm of the proposal in this instance, and I therefore recommend refusal based on these grounds also.

8.0 Conclusion

- 8.1 The development proposed fails to comply with policy GBC7 of the Local Plan, as it has not been demonstrated by the applicant that the more isolated location proposed is essential to meet the needs of his holding.
- 8.2 Notwithstanding this policy objection, I have concerns regarding the prominence of this site within the surrounding landscape, and the detrimental effect the buildings will have thereon.
- 8.3 I therefore consider that planning permission should be refused for the proposal, for the reasons outlined in this report.