

**5b 3/11/1650/FP – Erection of single storey building to replace building destroyed by fire at Celtic Harmony Camp, Brickendon Lane, Brickendon, Hertford, Herts, SG13 8NU for Ms C Holt-Parrella**

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**Date of Receipt:** 06.10.2011

**Type:** Full – Major

**Parish:** BRICKENDON LIBERTY

**Ward:** HERTFORD HEATH

**RECOMMENDATION**

That planning permission be **GRANTED** subject to the following conditions/for the reasons:

1. Time limit (1T121)
2. Approved plans (2E102; CH-01 B, CH/02, CH/03, CH/04)
3. Unless otherwise agreed in writing with the Local Planning Authority, no works shall take place outside of the months from November to February inclusive

**Reason:** To prevent any harm occurring to Great Crested Newts which are a protected species under the Wildlife and Access to the Countryside Act 1981, and in accordance with 'saved' Policy ENV16 of the East Herts Local Plan Second Review April 2007.

4. All stored building materials and equipment waiting to be used must be stored off the ground, on pallets, reducing the possibility of providing any potential sheltering habitat for newly emerging great crested newts. Discarded building materials must either be removed from site immediately or placed in a skip which must also be raised slightly off the ground. These pallets and skips must not be placed on the rough grassland behind the rebuild footprint, but either on the compacted gravel pathway or short mown grass in front of the re-build footprint.

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## 3/11/1650/FP

### Directive:

1. No other legislation (01OL1)

### Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and the saved policies of the East Herts Local Plan Second Review April 2007), and in particular policies ENV1, LRC4, LRC10 and GBC1 and Planning Policy Guidance 2 – Green Belts. The balance of the considerations having regard to those policies and the previous planning permission ref: 3/01/0647/FP is that permission should be granted.

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### **1.0 Background:**

- 1.1 The application site is shown on the attached OS extract. It comprises the Celtic Harmony Camp, Iron Age Settlement and Education Centre on the outskirts of Brickendon in the south of the District.
- 1.2 The Camp was established around a decade ago, and has grown to include a number of buildings and enclosures designed to invoke the atmosphere of Iron Age living. The site is covered by a woodland Tree Preservation Order.
- 1.3 The site lies within the Metropolitan Green Belt. It is an established tourism and educational attraction. The proposed development involves the construction of a replacement building on the site of a previously approved Iron Age barn lost to a fire. The barn was a multi-purpose building used as an eating area, craft area and shop. The Camp serves as both an educational and leisure experience for visitors, which includes class visits from schools in the region, and the loss of the barn resulted in several events being cancelled over the summer, as well as affecting business through the autumn.
- 1.4 The site is isolated in the surrounding area, with the location of the barn around 300m from the nearest road. Mature trees provide screening from outside the site, with the building itself proposed at a point approximately 20m from the nearest boundary.
- 1.5 The building would occupy the same approximate footprint of both the building lost in the fire (around 55m<sup>2</sup>) and an area that was enclosed by

### **3/11/1650/FP**

a canopy immediately next to the building (similarly around 55m<sup>2</sup>). The overall footprint of the building would be approximately 100m<sup>2</sup>.

#### **2.0 Site History:**

- 2.1 3/98/1513/FL – Temporary Iron Age roundhouse – Approved November 1998.
- 2.2 3/01/0505/FN – Iron Age roundhouse – Approved May 2001.
- 2.3 3/01/0647/FP – Iron Age barn, second Iron Age round house and composting toilet – Approved May 2001.

#### **3.0 Consultation Responses:**

- 3.1 Environmental Health do not wish to restrict the grant of permission
- 3.2 Natural England consider that the development is unlikely to have an impact on great crested newts known to occupy nearby ponds
- 3.3 Hertfordshire Biological Records Centre considers that there is the potential for the development to disturb or kill great crested newts. Conditions are therefore recommended to ensure the preservation of these protected species in line with the recommendations of the ecological consultant employed by the applicant.
- 3.4 Herts and Middlesex Wildlife Trust consider that potential negative impacts on great crested newts can be avoided by the implementation of the ecological consultant's recommendations, and there will therefore be no cause to object to the proposal on wildlife grounds.
- 3.5 The Council's Landscape Officer has no objections to the proposal.

#### **4.0 Brickendon Liberty Parish Council Representations:**

- 4.1 Brickendon Liberty Parish Council has no objections to the proposed development.
- 4.2 The Council recommends that the applicant seek consent for an underground water storage tank in the absence of a site fire hydrant.
- 4.3 The Council also recommends that the proposed building be sited as far south as possible from the roundhouses on site to minimise any chance of a future fire affecting them.

**5.0 Other Representations:**

5.1 The applications have been advertised by way of press notice, site notice and neighbour notification.

5.2 No representations have been received at the time of this report.

**6.0 Policy:**

6.1 The relevant 'saved' Local Plan policies in this application include the following:

GBC1	Green Belt
ENV1	Design and Environmental Quality
LRC4	Arts, Culture and Entertainment
LRC5	Countryside Recreation
LRC10	Tourism

6.2 In addition, the following National policy guidance is relevant:

Planning Policy Guidance 2 – Green Belts (PPG2).

**7.0 Considerations:**

7.1 The main issues to consider are the acceptability of the building in green belt terms, the impact of it on the character of the area and whether the building is of an appropriate design.

**Green Belt**

7.2 The site lies within the Metropolitan Green Belt wherein the general presumption is that inappropriate development will not be permitted. In PPG2 it is set out that new buildings would generally be considered as inappropriate development unless their purpose and use falls into fairly tightly defined categories. The policy approach set out in GBC1 of the Local Plan is consistent with this. The proposed development does not fall within any of the defined categories of development and therefore amounts to inappropriate development.

7.3 It is necessary then to consider whether there are any other issues to which weight can be attached such that the harm to the green belt as a result of the inappropriate development, and any other harm, are clearly outweighed.

### 3/11/1650/FP

- 7.4 It is not considered that 'other harm' of any great significance is caused by the proposed development. It does have the impact of introducing additional built form into the countryside. The design is rudimentary, suited to its purpose and not dissimilar to a potential agricultural building. The site is well screened and its impact on the wider countryside or the character of the area is considered to be negligible. The potential impact on wildlife interest is referred to below.
- 7.5 In terms of favourable matters, the operation of the site has considerable social and educational benefit within the district and beyond. Policy LRC5 seeks to support facilities for informal recreation and for increasing public access to the countryside. In policy LRC10 the Council sets out its view that suitable tourism proposals are to be encouraged. It is considered that significant weight can be attached to these aspirations in this case. Policy LRC4 encourages the provision of new cultural facilities.
- 7.6 It is also considered that some weight in favour of the proposals can be assigned because of the way the buildings and site are operated. The building and site give educational benefits without the greater impact of any more permanent habitable presence. In addition, the Council has previously been supportive of buildings on this site. Whilst they were smaller than the building now sought, approx half of the footprint, it nevertheless adds some additional weight in support of the proposals.
- 7.7 Officers consider that the site offers considerable social and educational benefits within the District and beyond. The development would replace a building of similar scale previously granted permission in spite of Green Belt concerns. Although initially smaller, that building came to occupy a similar area to the proposed building as a result of an attached canopy. It is not considered that formalising that arrangement would result in any material impact in terms of increased harm to the Green Belt. It is therefore considered that very special circumstances exist to justify this development.

#### Wildlife considerations

- 7.8 The site is identified as a County Wildlife site. However, the site of the proposed development is devoid of any semi-natural habitats. It is not predicted that habitats, important or otherwise, will be affected by these proposals.
- 7.9 The only notable important species predicted to be impacted on is great crested newts and this is because they will cross the site during night time hours. Mitigation measures can be put in place that will prevent this

### **3/11/1650/FP**

and mitigate against harm to the species. These have been endorsed by the Herts Biological Records Centre, and form the basis for conditions 3 to 5 above.

#### **8.0 Conclusion:**

- 8.1 Whilst the proposals constitute inappropriate development, significant weight can be attached to the social and educational benefits of the use of the site and development. Whilst there will be harm to the green belt, there is considered to be limited other harm, the potential harm to protected wildlife species can be avoided.
- 8.2 It is considered that the weight applied to the positive considerations clearly outweighs the harm such that very special circumstances apply in this case. As a result, it is recommended that planning permission can be forthcoming in this case.