

5a 3/11/1615/FP – Change of use to horse grazing and fruit farm with new site entrance and parking including the erection of 4no. polytunnels, field shelter and shed at land at Farnham Road, Bishop’s Stortford CM23 1JB for Ms L Lamprell

Date of Receipt: 24.01.2012

Type: Full – Major

Parish: BISHOP’S STORTFORD

Ward: BISHOP’S STORTFORD – MEADS

RECOMMENDATION:

That planning permission be **REFUSED** for the following reason:

1. Insufficient information has been submitted in respect of vehicle movements and the operation of the farming enterprise to allow the Local Planning Authority to properly consider and assess the acceptability of the development in terms of highway safety and access arrangements.

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1.0 Background:

- 1.1 The site comprises part of a large plot of land to the north of Bishop’s Stortford, just to the north of the A120 bypass. The land is located along Farnham Road which links Bishop’s Stortford to the village of Farnham, which is located within Uttlesford District Council. The site is shown on the attached OS extracts.
- 1.2 The plot of land is fairly significant in terms of its size and currently appears as an open agricultural field. There is currently limited planting within the site, although it is bounded to the east and south by mature screening in the form of hedgerow and trees. To the north of the site is an industrial depot, where some containers are stored together with a collection of other commercial type buildings.
- 1.3 The application seeks consent to use the parcel of land as a fruit farm and horse grazing area. The horse grazing is proposed to be located in the western part of the site whilst the fruit farm would be located in the eastern part. An access is proposed off Farnham Road on the eastern boundary of the site. There is a fairly steep slope from the road down into the site wherein a small parking area and shed structure are proposed. Further buildings are also proposed within the site which includes four poly tunnels and a field shelter – those buildings are located in the northern part of the site.

3/11/1615/FP

2.0 Site History:

2.1 There is no relevant planning history for the site.

3.0 Consultation Responses:

3.1 Herts Biological Records Centre comment that they do not have any biological data relating to the site. It is however reasonable to assume that the site will support breeding birds – HBRC therefore recommends that site clearance of vegetation only takes place during the winter period, October – February.

3.2 Natural England comment that the proposal does not appear to affect any statutorily protected sites or landscapes or have significant impacts on the conservation of soils.

3.3 The Landscape Officer has recommended refusal and states that the provision of a new access point in the location shown is likely to result in the substantial loss of hedgerow along the site boundary in order to comply with highway sight lines. The Landscape Officer recommends that the Council exercise a precautionary approach with regards to the new access point.

3.4 Hertfordshire County Highways object to the planning application on the grounds of insufficient information to enable proper consideration of the implications of the development on the public highway. The Highways Officer comments that there are some issues with the proposal which require the submission of further information. Firstly, insufficient information has been submitted in relation to potential traffic generation, in particular, the need for service and delivery and collection vehicles. Whilst the proposal does provide for a small car parking area, it is not sufficient to accommodate the needs of a large goods vehicle. In addition, should the proposal involve 'pick your own' service or retail to the general public, the demand for parking would substantially increase which may have implications from a planning perspective because parking on Farnham Road would not be acceptable from a Highways perspective.

The access points can be provided with appropriate visibility splays. The alignment of the road is far from ideal but the bends in the road do influence the speed of vehicles. Nevertheless, whilst the principle of an access is acceptable, the plans do not reflect the difference in levels and the potential difficulties with accessing the site for larger vehicles. In this respect the plans submitted are not sufficiently detailed. A 3m wide access would not be sufficient to allow two way traffic and/or access for

3/11/1615/FP

goods vehicles.

The Highways Officer acknowledges that the proposed uses are agricultural in nature and are, as such suited to the area – however the proposals are not sufficiently detailed to enable an accurate assessment of the highway implications. Further information is therefore required in respect of the use of the establishment, retail/wholesale/pick your own, parking requirements for staff and customers, HGV provision – deliveries and distribution and access arrangements in terms of tracking and gradients.

- 3.5 The Environment Agency comment that the area marked as horse grazing is at the most risk of flooding and no additional buildings should be located in that area. Grazing animals is an acceptable use of the land.

4.0 Town/Parish Council Representations:

- 4.1 Bishop's Stortford Town Council raises no objections to the proposals, but recommends the provision of a four year time limit owing to the deterioration of the polytunnels.
- 4.2 Farnham Parish Council raises no objection with the change of use of the land but do raise concern with the provision of a new vehicular entrance on the site.

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 representation has been received which raises concern with the impact of the development on highway safety and the potential increase of vehicular movement associated with the development.

6.0 Policy:

- 6.1 The relevant 'saved' Local Plan policies in this application include the following:
- GBC1 – Appropriate Development in the Green Belt;
 - ENV1 – Design and Environmental Quality;
 - ENV2 – Landscaping;
 - ENV11 – Protection of Existing Hedgerows and Trees;
 - TR20 – Development Generating Traffic on Rural Roads.

7.0 Considerations:

7.1 The planning considerations relevant to this planning are as follows:-

- Principle of development;
- Impact upon the character and appearance of the Green Belt;
- Highway matters;
- Impact upon landscaping;
- Impact on neighbour amenities.

Principle of development

7.2 The proposed development involves the provision of a fruit farm and the provision of a horse grazing area. The use of the land for a fruit farm is not considered to represent a material change of use of the land – planning permission is therefore not required for the use of the land for a fruit farm. However, planning permission is, in Officers opinion, required for the provision of buildings for the farming enterprise and the vehicular access into the site.

7.3 With regards to the proposed horse grazing, the applicant has commented that this element is proposed for local horse owners. There is limited information in respect of the number of horses that will be accommodated on the site; although it would seem that the use of the land for horse grazing for a potential unspecified number of horses goes beyond that which may reasonably be considered as falling within an agricultural use. In that respect, the use of the land for horse grazing is considered to represent a material change of use of the land from agriculture to meadow/horse grazing, for which planning permission is required.

7.4 The site lies within the Metropolitan Green Belt, wherein permission will not be given for inappropriate development unless there are other material planning considerations to which such weight can be attached that they would clearly outweigh any harm caused to the Green Belt by inappropriateness or any other identified harm, thereby constituting 'very special circumstances' for permitting the inappropriate development in the Green Belt.

7.5 Policy GBC1 of the Local Plan allows for the construction of new buildings for purposes relating to agriculture. Accordingly, the provision of the buildings (polytunnels and shed structure) on the site is, in principle, acceptable.

3/11/1615/FP

- 7.6 Policy GBC1 of the Local Plan sets out that the material change of use of the land will not represent inappropriate development, where such a use maintains openness and does not conflict with the purposes of including land within the Green Belt.
- 7.7 Officers consider that the provision of an area of land for horse grazing and the provision of a modest field shelter to serve such a use are uses of the land which are to be expected in a location such as the application site. This element of the proposal will, in Officers opinion, maintain the openness and rural characteristics of the site and the surroundings. The horse grazing and field shelter therefore represents appropriate development in the Green Belt.

Impact on character and appearance of Green Belt

- 7.8 The proposed buildings, including field shelter and polytunnels are located to the north of the site, reasonably well consolidated with other buildings/storage containers serving the adjoining parcel of land. The field shelter is a fairly low key structure with a footprint of 12 square metres and a height of 3.5 metres. The proposed polytunnels are more significant, in terms of their height, at 5.5 metres, and in terms of their number (4) and length, at 10 metres. However, they are consolidated with other nearby buildings and appear of an agricultural type appearance that will, in Officers opinion, sit comfortably within the open, rural surroundings.
- 7.9 The proposal also involves the provision of a shed adjacent to the proposed entrance. That structure would be at a height of 3.35 metres and occupies a footprint of 36 square metres. The plans propose the structure to be timber clad with a felt roof. The proposed building would be isolated from the other buildings within the site – it is nevertheless of fairly modest proportions and appropriate materials such that it will not, in Officers opinion, result in significant harm to the openness or rural character of the site and surroundings.

Highways matters

- 7.10 The site is located within a rural setting wherein the provision of development which has the potential to generate traffic would be assessed against policy TR20 of the Local Plan. That policy sets out that, in assessing development proposals that are expected to give rise to a significant change in the amount or type of traffic on rural roads, will not be permitted where the road is poor in terms of width, alignment and construction and the increased traffic would have a significant adverse effect on the local environment.

3/11/1615/FP

- 7.11 The Highways Officer has responded to the planning application advising that insufficient information has been submitted to properly consider the highway implications of the proposed development. It is not clear what the potential traffic generation is likely to be - particularly the need for service and delivery and collection vehicles. Officers note that a small car parking area is proposed, however as acknowledged by the Highways Officer, this is not sufficient to accommodate the needs of a large goods vehicle. Furthermore, it is also not clear whether the proposal involves a 'pick your own' service or retail to the general public. The use of the land for such an enterprise would increase the demand for parking which may have highway safety implications from a planning perspective because parking on Farnham Road would not be acceptable.
- 7.12 Having regard to the requirements of policy TR20 of the Local Plan and, in accordance with the advice from County Highways it is considered that there is insufficient information with regards to the impact of the development in terms of highway safety. The proposal therefore conflicts with policy TR20 of the Local Plan and Officers recommend that planning permission be refused on that basis.

Landscape matters

- 7.13 As acknowledged by the Highways and Landscape Officer, the provision of a new access will require the provision of visibility splays. In discussion with the Highways Officer it is understood that, rather than wholesale removal of the hedgerow to facilitate such visibility splays, 'trimming' of the hedge, particular to the south of the access will be only necessary to improve visibility.
- 7.14 Whilst Officers are mindful of the concerns raised by the Landscape Officers in terms of the removal of hedgerow to facilitate visibility – it would seem that this would not involve significant removal of that landscape feature. The new access will therefore retain the essential character of the site and surroundings.

Other matters

- 7.15 The comments from HBRC, Natural England and the Environment Agency are noted. In respect of protected animals and other ecological matters, Officers are satisfied that the development proposals will not lead to significant harm. With regards to flood risk matters, it is considered that the development proposals are also acceptable.

8.0 Conclusion:

- 8.1 The use of the land for a berry farm does not require planning permission; however the other elements including buildings to serve that farming enterprise and the use of the land and a structure for horse grazing represent appropriate development in the Green Belt, and are sympathetic to the open, rural character of the site. However, concern is raised with the lack of detailed information relating to the highway implications of the proposed development. For that reason Officers recommend that planning permission be refused.