

5b 3/12/1235/FP – Provision of 1 no. polytunnel at land at The Old Coach Road, Birch Green for Joseph Rochford Gardens Limited

Date of Receipt: 20.07.12

Type: Full – Major

Parish: HERTINGFORDBURY

Ward: HERTFORD RURAL SOUTH

RECOMMENDATION:

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

1. Three Year Time Limit (IT12)
2. Approved Plans (2E10) insert:- “26013/002 A; 26013/003 A; and 26013/004 A”
3. Programme of Archaeological Work (2E02)
4. Tree/Hedge Retention and Protection (4P05)
5. Landscape Design Proposals (4P12) – “(i), (j), (k) and (l)”
6. Landscape Works Implementation (4P13)

Directive:

1. Other Legislation

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 OSV3, GBC1, GBC7, BH1, BH2, BH3, ENV1, ENV2, ENV11, ENV17, ENV19) and the National Planning Policy Framework. The balance of the considerations having regard to those policies 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. The site is part

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of an established horticultural business located on the north eastern edge of the village of Birch Green.

- 1.2 The proposal follows the withdrawal of an application in 2010 for a larger scheme including land to the north of the main road. The current application is for a single polytunnel, 100m on its longest side by 50m wide, located on the south side of the existing polytunnel on the nursery site.
- 1.3 To the east of the site are the dwellings within Staines Green which back onto the nursery.

2.0 Site History:

- 2.1 The land of which this site forms part was formerly part of the Panshanger Estate, owned by Lafarge Aggregates Ltd, where the land has been used for gravel extraction.
- 2.2 Joseph Rochford Gardens Ltd provides plants for sale on a wholesale basis. The planning history of the site includes two applications for residential development under planning reference 3/59/0264/FP and 3/60/0326/FP, both of which were refused.
- 2.3 In 2002 permission was granted for a new polytunnel building under planning reference 3/02/0300/FP. A further application, under planning reference 3/10/1541/FP, was made for the extension of the existing nursery including a glasshouse, growing beds, polytunnel, lagoon, new vehicular access and internal road. The site included land to the north of The Old Coach Road. Following concerns expressed by the Council, however, the planning application was withdrawn.

3.0 Consultation Responses:

- 3.1 The Historic Environment Unit advised that the proposed development is likely to have an impact on heritage assets of archaeological interest and advise that a programme of archaeological work should be undertaken before development takes place.
- 3.2 The Council's Landscape Officer has advised that the proposal is acceptable, subject to a condition regarding hedge retention.
- 3.3 The Environmental Health Unit does not wish to restrict the grant of permission.

4.0 Parish Council Representations:

4.1 Hertingfordbury Parish Council has no objection to the proposal, subject to a condition regarding landscaping on the south eastern corner of the site in the interests of nearby residential amenity and a condition that an existing entrance onto the site, which is temporarily obstructed, shall be permanently closed.

5.0 Other Representations:

5.1 The application has been advertised by way of a site notice and neighbour notification. There have been four letters of objection which can be summarised as follows:

- Inappropriate development in the Green Belt
- Development serves the interests of commercial horticulture, not agriculture
- Development on the edge of a Category 3 Village where new development is restricted under Policy OSV3
- Infilling of open space between Birch Green and Staines Green, representing ribbon development along The Old Coach Road
- Increase in heavy vehicle traffic (particularly Dutch lorries) adding to congestion arising from cars parked on both sides of The Old Coach Road during school time, particularly at morning drop off and afternoon pick up times
- Increase in traffic adding to pollution
- Road surface is already pitted despite ad hoc repairs, causing danger to walkers, runners and cyclists
- Overdevelopment will give rise to a loss of openness and detrimental visual impact
- Site of development is next to a public footpath and close to a number of houses
- Deciduous hedge screening will make the structure visible in winter months
- Detrimental impact on wildlife arising from disturbance of eco system
- Natural drainage of water will be reduced and could cause flooding in the surrounding area
- The effect of disuse of the polytunnels would be detrimental as a large, neglected site can attract fly tipping and even squatting.

6.0 Policy:

6.1 The Policies of the adopted East Herts Local Plan that are most relevant to the consideration of this application are as follows:

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GBC1	Appropriate Development in the Green Belt
GBC7	Agricultural Development
OSV3	Category 3 Villages
BH1	Archaeology and New Development
BH2	Archeological Evaluations and Assessments
BH3	Archaeological Conditions and Agreements
ENV1	Design and Environmental Quality
ENV2	Landscaping
ENV11	Protection of Existing Hedgerows and Trees
ENV17	Wildlife Habitats
ENV19	Development in Areas Liable to Flood

- 6.2 National Planning Guidance of relevance to the determination of the application is the National Planning Policy Framework March 2012, including the considerations of Section 3 “Supporting a prosperous rural economy” and Section 9 “Protecting Green Belt land”.

7.0 Considerations:

- 7.1 The determining issues in this case relate to the principle of development; its impact on the character and appearance of the surrounding area; neighbour amenity; and highways/access matters.

Principle of Development

- 7.2 Within the Metropolitan Green Belt, the construction of new buildings for the purposes of agriculture/forestry is considered to be appropriate development in accordance with Policy GBC1 of the East Herts Local Plan and the provisions of the NPPF. The definition of agriculture at s. 336 of the 1990 Act expressly includes horticulture, fruit growing, seed growing, market gardens and nursery grounds. The proposed development is therefore, in principle, appropriate in the Green Belt.
- 7.3 New agricultural development is considered in accordance with policy GBC7 of the Local Plan. This requires, inter alia, that buildings are located within or adjacent to an existing group of buildings and are of a design which is appropriate for its intended use and sympathetic to its surroundings.
- 7.4 Officers consider that the proposed development would also comply with policy GCB7. It would be located adjacent to an existing structure of the same design and height; would be well screened; and is of a typical design for its intended use.
- 7.5 In principle, therefore, Officers consider the proposed development to be

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acceptable and in accordance with the development strategy set out in the Local Plan. There are of course other detailed planning issues that require consideration and these relate to:

- the impact of the proposal on the character and appearance of the countryside (Policies ENV2 and GBC7) and the setting of Birch Green (Policy OSV3)
- design and whether the proposed polytunnel is appropriate for its intended use and sympathetic to its surroundings in terms of scale, materials, colour and architectural details (ENV1, OSV3 and GBC7)
- landscaping proposals (Policies ENV2, ENV11 and GBC7)
- neighbour amenity (Policies OSV3 and ENV1)
- the impact of the development on the highway network and the safety of pedestrians, any likely impact on wildlife (ENV17)
- any likely impact on remains of archaeological importance (BH1 and BH2)
- the impact of the development on flooding at the site and its surroundings (ENV19).

Impact of the proposal on the character and appearance of the area

- 7.6 The proposed polytunnel would be an extension of those already existing on the site. It would be contained within an area which is well screened by trees on the eastern and south eastern boundaries of the site and is unlikely to be seen from the main public road of The Old Coach Road. There is a public footpath 006 which passes along the southern boundary of the site. Although the views of the site from the footpath and the openness of the Green Belt will, to some degree, be affected by this proposal, this is comparable to the general impacts of other agricultural buildings in the countryside and Officers do not consider that the building would appear unduly prominent or out of keeping with the rural character of the surroundings.
- 7.7 The building is proposed to be sited away from this boundary to modify its impact and there is existing planting on the boundaries of the site that can be reinforced. This can be required via planning condition. It is not, therefore, considered that the additional polytunnel will have any significant detrimental impact on the character and appearance of the area or the visual amenity of this part of the Green Belt.
- 7.8 The site lies outside the main built up area of the village from which it is detached. As such, it is not considered that the development would impact adversely on the form and setting of the village. In these respects the proposal is not considered to be contrary to the requirements of

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Policy OSV3.

- 7.9 Policies ENV2 (Landscaping) and GBC7 (Agricultural Development) of the adopted Local Plan require that proposals retain and enhance existing landscape features and that new agricultural buildings are supported by a detailed landscape scheme reflecting the landscape character of the area. It is considered that any approval granted for the proposal should include a condition in respect of landscaping in order to ensure that it remains well screened.

Design

- 7.10 As mentioned above, the polytunnel is of standard design, appropriate for its intended use, and similar to those already on the site. In this respect it is considered to satisfy the requirements of Policies ENV1 and GBC7.

Neighbour Amenity

- 7.11 Policies OSV3 and ENV1 require that proposals should respect the amenity of occupiers of neighbouring buildings and ensure that their environments are not harmed by noise and disturbance.
- 7.12 The horticultural operation is not a noisy one and, in view of the tree screening on the southern part of the site, it is not considered that any loss of residential amenity will result from the proposed polytunnel. It is nevertheless considered that additional planting should be carried out in order to reinforce this screening to ensure better long term protection of the amenities of the residents near the south eastern boundary of the site.

Impact of the Proposal on the Highway Network and Parking

- 7.13 The applicant indicates that the proposed additional polytunnel would not give rise to any significant additional road traffic or parking congestion in the area. The area is already used for 'growing on' plants but, during the winter, outside stock is lost or damaged due to the cold weather. The proposed polytunnel will enable a greater yield, therefore, of good quality plants.
- 7.14 Traffic to the site will continue to make use of existing access arrangements and there is no objection to this by the Highway Authority.
- 7.15 The Old Coach Road was of course originally the main link road between Hatfield and Hertford and is of good alignment, capable of safely

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accommodating a much greater level of traffic than it currently does. Members will also note that the Highway Authority did not, in fact, object to the more significant development proposed recently under reference 3/10/1541/FP.

- 7.16 The Parish Council have requested a condition requiring that a second access onto The Old Coach Road, which is currently unused and temporarily blocked off, is permanently closed. However, Officers do not consider that such a condition is reasonable or necessary in order to make this current proposal acceptable. As such, it would fail the tests in Circular 11/95 and Officers cannot therefore recommend the addition of that condition.

Flooding

- 7.17 The Environment Agency, following the submission of a satisfactory Flood Risk Assessment, as requested under planning application 3/10/1541/FP, withdrew their original objection to the scheme in respect of flooding.

8.0 Conclusion:

- 8.1 The proposal is appropriate development within the Green Belt and is supported by policies GBC1 and GBC7 of the East Herts Local Plan and the considerations of the National Planning Policy Framework.
- 8.2 Although there would be some impact on the openness of the Green Belt this is considered to be limited and acceptable. There is no identified harm to landscape, neighbour amenity, highways use or design considerations that would justify refusal of the application.
- 8.3 Accordingly, Officers recommended that planning permission be granted subject to the conditions as set out at the head of this report.