

3/14/1514/FP – Erection of agricultural grainstore and associated access at land adjacent to Ten Acres Nursery, Kettle Green Road, Much Hadham, SG10 6AQ for Chaldean Estate

Date of Receipt: 05.09.2014

Type: Full – Major

Parish: MUCH HADHAM

Ward: MUCH HADHAM

RECOMMENDATION:

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

1. Three Year Time Limit (1T12)
2. Approved plans (2E103)
3. Materials of construction (2E11)
4. Prior to the first use of the building hereby approved, the mitigation measures as set out in the Noise Assessment Report dated 27 June 2014 shall be implemented and thereafter retained, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure an adequate level of amenity for residents of neighbouring properties in accordance with policies ENV1 and ENV25 of the East Herts Local Plan Second Review April 2007.

5. Landscape design proposals (4P12)(a, b, c, e, l, j, k, l)
6. Landscape works implementation (4P13)
7. Prior to the first use of the building hereby approved, the sustainable drainage system as detailed in the submitted Surface Water Drainage Strategy dated 02 December 2014 and shown on plan reference SK010, shall be implemented and thereafter retained and maintained in accordance with the details set out in the Surface Water Drainage Strategy, unless otherwise agreed in writing by the Local Planning Authority.

Reasons: To ensure appropriate provision of Sustainable Drainage Systems and in the interests of ensuring enhanced water quality and biodiversity and reductions in flood risk in accordance with policy ENV21 of the East Herts Local Plan Second Review April 2007 and section 10 of the National Planning Policy Framework.

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8. Lighting details (2E27)
9. Wheel washing facilities (3V25)
10. Prior to the first use of the building hereby permitted, the access arrangements and visibility splays as detailed on drawing no. M831/001 Rev A shall be implemented in accordance with the approved details and retained as such, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

Directives:

1. Other legislation (01OL)
2. You will need to obtain flood defense consent from the Environment Agency for the proposed outfall and any structures in, under, over or within 8 metres of the top of the bank of the Nimney Bourne, designated a 'main river'.

Summary of Reasons for Decision

East Herts Council has considered the applicant's proposal in a positive and proactive manner with regard to the policies of the Development Plan (Minerals Local Plan, Waste Core Strategy and Development Management Policies DPD 2012 and the 'saved' policies of the East Herts Local Plan Second Review April 2007); the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2012 (as amended). The balance of the considerations having regard to those policies is that permission should be granted.

_____ (151414FP.MP)

1.0 Background

- 1.1 The application site is shown on the attached OS extract and is located within an agricultural field on the southern side of Kettle Green Road, to the west of Ten Acres Nursery. The site is around 2.5km to the west of the village of Much Hadham and approximately 1.5km to the east of Barwick.
- 1.2 Kettle Green Road is classed as a C road on the Hertfordshire County Council Highway Gazetteer and runs between Hadham Cross to the

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east and links to a T junction with the roads to Barwick Ford and Cold Christmas.

- 1.3 The site slopes gently down from Ten Acres Nursery to the east of the site towards the western edge of the site, where there is a dense collection of trees and landscape features along a water course – Nimney Bourne. The road frontage has a boundary treatment of hedge around 2metres in height.
- 1.4 The applicant sets out that their estate has 810Ha of arable farmland and, in 2012, had a capacity to store 4,500 tonnes of grain, which comprises of 3,150 tonnes of storage with drying facilities and 1,350 tonnes of on floor storage with no drying facilities. In April 2013 the grain storage capacity of the estate was reduced by 1,000 tones due to the demolition of an existing grain store at Brands Farm, which was granted planning permission for a residential development (LPA reference 3/12/1189/FP). Brands Farm is approximately 2km to the east of the application site and is accessed off Kettle Green Road.
- 1.5 The applicant indicates that there is therefore a shortfall in capacity to store grain which is compounded by the Estate now farming an additional 100Ha of land. To address the issue of a lack of grain storage and storage without drying facilities, the applicant proposes this application for a grain store with 2,500 tonnes of capacity.
- 1.6 The layout of the proposed store has been amended throughout the consideration of the planning application, and includes a vehicular access onto Kettle Green Road. That access leads to a large area of concrete hardstanding to the western edge of the site which wraps around to the south of the building. The principle access to the grain store is on the western elevation and there is open storage to the southern elevation. The proposed building is of typical proportions and design for an agricultural building and features an asymmetric gable on the east and west elevation and comprises of roof sheeting and metal cladding. The building has an overall footprint of around 1244 square metres and is 10.9 metres in height.

2.0 Site History

- 2.1 There is no relevant planning history to the site.

3.0 Consultation Responses

- 3.1 Hertfordshire County Highways comment that they do not wish to restrict the grant of planning permission subject to conditions.

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The Highways Officer considers that the replacement grain store and associated access on farm land is acceptable in a highway context. The proposed access onto Kettle Green Road (C39) is at a point where appropriate visibility can be provided.

Traffic generation is unlikely to increase significantly as this is a replacement grain store located in an area that relates to efficient farming practices with minimal internal tractor movements. The new access will reduce traffic movements at the existing sub-standard access.

- 3.2 The Councils Engineers comment that the application site is situated within flood zone 1 and away from zone 2 and 3 and there are no historical flood incidents shown at the site.

Review of the application indicates that the development is suitable for above ground type sustainable drainage systems (SuDS) in the form of a SuDS pond and a longitudinal swale alongside the access road and hardstanding and a controlled discharge outlet to the Nimney Bourne. Such SuDS would be a valuable asset for the new commercial unit and may assist flood risk reduction in Kettle Green area as well as provide useful additional biodiversity and shared amenity spaces together with improved water quality of the nearby main river watercourse through reducing and treating pollution generated by the new hardstanding, roof etc. Other SuDS features could nevertheless be introduced.

- 3.3 Environmental Health recommends that planning permission be granted subject to conditions relating to provision of noise mitigation measures set out in the Noise and Assessment and that plant and machinery associated with implementation of the development be attenuated.

The Environmental Health Officer comments that the noise mitigation proposed in the Noise Assessment sets out that the installation of an acoustically attenuated air intake Louvre will ensure that the development complies with BS4142 recommended British Standard. This is a positive indication that complaints associated with noise will be unlikely.

- 3.4 The Environment Agency comment that they have no objection to the proposal and are pleased to see the inclusion of an detention basin to reduce the risk of surface water runoff whilst providing additional pollution prevention and biodiversity benefits.

- 3.5 The Landscape Officer recommends that planning permission be granted in relation to the amended plans. The application is for a

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modern grain barn/store in an agricultural/rural setting. The viewpoint photographs in the Landscape and Visual Appraisable show that, although the ridgeline of the grain barn will be visible from some viewpoints, it should not be unduly prominent or incongruous in this location. The proposed landscape planting strategy is acceptable but requires some amendments which could be dealt with through condition.

4.0 Parish Council Representations

4.1 Much Hadham Parish Council object to the planning application for the following reasons:

- Impact on the rural character and appearance of the site and surroundings;
- The roads leading to the site are inadequate in terms of width and structure for the increased levels and weight of traffic movements;
- There have been fatalities on the road in recent time;
- Impact of dust on the Nursery;
- The development will lead to further development on the site for lighting and housing;
- Noise impact from dryers and increased vehicular traffic on neighbour amenity;
- Insufficient information relating to existing traffic levels along the road;
- Harmful impact from pollution to water course;
- Inadequate utilities to serve the development.

4.2 Standon Parish Council object to the planning application for the following reasons:

- Impact on the water course from contaminants associated with the development/use;
- The access to the A10 via Gore Lane in Standon Parish Area is unacceptable as this road is poor in terms of width and alignment with limited passing places;
- The traffic movements associated with the development will harm the amenities of residents in Barwick in terms of noise and general disturbance;
- The building by virtue of its height and bulk will result in harm to the rural environment;
- There are other sites which are more reasonable, appropriate and provide safer access to the main roads than that currently proposed.

5.0 Other Representations

- 5.1 The application has been advertised by way of press notice, site notice and neighbour notification.
- 5.2 A petition signed by 41 residents from the Barwick area has been received. Concerns are raised in respect of the impact of agricultural traffic combined with existing traffic through Barwick, the inadequacies of the existing road in terms of its width and structure and the impact on other users of the highway including walkers and cyclists. The petition refers the Council to a recent fatality on the road by the application site and requests that a traffic survey be carried out.
- 5.3 22 letters of representation have been received in respect of the originally submitted plans, which can be summarised as follows:
- The proposed development will lead to a significant increase in the number of traffic movements resulting in harm to highway safety along the road, connecting roads and surroundings villages;
 - There have been fatalities along the road over the last couple of years;
 - Existing road is of poor width and construction not suitable to increased levels of agricultural and HGV movement;
 - The proposal will result in new traffic movements and reliance on the Brands Farm operation is erroneous as this operation closed over a year ago;
 - The Transport Assessment is inaccurate in that surveys were undertaken during July/August, after the Brands Farm building closed and the statement does not properly consider peak months of harvest;
 - The proposed development conflicts with policy GBC7 of the Local Plan as it is not within or adjacent to existing buildings;
 - The building is located in a visually isolated location and will result in harm to the rural countryside setting;
 - Noise and disturbance to properties along the route of HGV's and agricultural traffic;
 - Noise impact from dryers and fears mitigation measures are inadequate;
 - Impact on walkers and cyclists who use the road;
 - Harmful dust impact on Nursery and residential dwellings;
 - Loss of agricultural land;
 - Increased levels of pollution to the nearby water course from run-off.

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5.4 Amended plans have been submitted during the process of the application and a further 9 letters of representations have been received in response to a consultation on the amended plans, which largely reiterate the above concerns.

6.0 Policy

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

GBC2	The Rural Area Beyond the Green Belt
GBC3	Appropriate Development in the Rural Area Beyond the Green Belt
GBC7	Agricultural Development
ENV1	Design and Environmental Quality
ENV2	Landscaping
ENV10	Planting New Trees
ENV25	Noise sensitive Development
TR20	Development Generating Traffic on Rural Roads

6.2 In addition, the NPPF (National Planning Policy Framework) and NPPG (National Planning Policy Guidance) are material considerations in the determination of this application.

7.0 Considerations

7.1 The main planning considerations relate to the principle of development; impact on the character and appearance of the rural setting; highway safety and access issues, and neighbour amenity impact.

Principle of development

7.2 The site is located within the Rural Area Beyond the Green Belt wherein policy GBC3a) allows for the erection of development for agriculture. The principle of the agricultural development is therefore acceptable.

7.3 In addition, paragraph 28 of the NPPF sets out that planning policy should support economic growth to create jobs and prosperity by taking a positive approach to sustainable development through the provision of well-designed new buildings.

7.4 In accordance with those considerations, there can be no objection in principle to the provision of an agricultural building, subject to the building being appropriately designed and resulting in no significant or

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harmful visual impact and having regard to all other relevant planning considerations.

Character and appearance

- 7.5 Policy GBC7 of the Local Plan sets out the criteria to be considered in relation to proposed agricultural development in the District. This sets out that agricultural development 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 and where the site has been chosen to minimise the impact of the building on the character and appearance of the countryside. A landscape scheme should be submitted with the application and the building should be of a design which is appropriate for its use and sympathetic to its surroundings in terms of scale, materials, colour and architectural detail.
- 7.6 In response to the requirement in policy GBC7 that the site be located within or adjacent to existing buildings, the applicant has set out that there is a need for the agricultural building in this location. The applicant indicates that consideration has been given to alternative sites according to land ownership, cropping plans and the operational needs of the farm. Those differing sites were, however, discounted for various particular reasons relating to the operational requirements of the holding.
- 7.7 Having regard to the information submitted, Officers are of the opinion that appropriate justification for the siting of the building not within an existing group of buildings has been submitted in this case. The site is located in the general proximity of the previous grain store at Brands Farm and is well located in relation to the agricultural holding, existing farm tracks and the overall accessibility requirements of the holding, the availability of services and the need to service the proposed building.
- 7.8 As noted above, the layout of the development has been amended through the application process and the building now responds more positively to the existing boundaries, compared to that originally submitted with the application. The Landscape Officer recommends that planning permission be granted and comments, from the information submitted in the Landscape Appraisal, that although the ridgeline of the barn will be visible from some viewpoints, it should not be unduly prominent or incongruous in this location.
- 7.9 The building would be sited in a location which is lower in level to the surroundings and is well screened from views to the west by a

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significant belt of trees which runs with the Nimney Bourne. The plans submitted show that the building will sit within the existing levels with a large belt of trees to the east of the building which will help to reduce the visual impact of the building from views to the east. There will inevitably be views of the building from Kettle Green Road. However, the building is set well back from the road and there is some (albeit limited) screening in the form of a hedge, which will help reduce the impact from the road.

- 7.10 The proposed development will result in an impact on the rural character of the site and surroundings. However, the provision of agricultural buildings in an agricultural setting is, in principal, acceptable. Having regard to the comments from the Landscape Officer, it is considered that the degree of impact on the countryside setting will be reduced by the siting of the building in relation to existing landscape features or mitigated through the provision of additional landscaping.

Highways matters

- 7.11 One of the main areas of concerns raised by the Parish Councils and third parties relates to the impact on highway safety and access. Concern is levelled at the increased level of HGV traffic on Kettle Green Road and the surrounding highway network and the level of traffic movements through the villages of Much Hadham, Barwick and Barwick Ford. Concern is levelled at the information submitted in the Transport Statement and third parties refer to previous accidents along Kettle Green Road which has resulted in the three fatalities in the last three years.
- 7.12 The applicant sets out that there will be no increase in lorries using the lanes, given that the proposed development replaces a previous agricultural grain store at Brands Farm which was demolished to allow a housing development. The provision of a centralised storage facility at the application site will reduce the road traffic movements as most tractor grain movements will come through the internal farm roads and tracks and not via the road to either of the existing grain stores at Bromley Lane (through Much Hadham) or to Barwick (via Kettle Green Lane and Cold Christmas Lane). Furthermore, the movement of the grain will be spread over a wider period of time and will reduce intense traffic movements at peak harvest time.
- 7.13 As noted above, the applicant's capacity to store and dry grain has been impacted by the loss of the grain store at Brands Farm. Whilst Officers note the comments made by third parties that the grain store

closed over a year ago and there will therefore be new traffic movements along Kettle Green Road, it is material that there was recently a grain store at Brands Farm which this development proposal will replace. This is a position that the Highways Authority accept and they do not consider that there will likely be an increase in traffic generation along Kettle Green Road. Whilst Officers are mindful of the concerns raised by the Parish Councils and third parties, having regard to that advice and, from the information available, Officers are of the opinion that there will be no significant harm to the local or wider highway network associated with the proposed development in terms of traffic movements.

- 7.14 The proposed access itself onto Kettle Green Road is, as noted by the Highways Officer considered to provide appropriate levels of visibility and is therefore acceptable in highway safety terms.

Neighbour amenity

- 7.15 The main considerations in respect of the impact on neighbour amenity relate to the traffic movements associated with the development; the noise associated with the drying facilities of the grain store, and dust.
- 7.16 With regards to the impact from traffic associated with the development, there are some residential dwellings to the immediate east of the site and dwellings further to the west and east along Kettle Green Road. The road links to the villages of Much Hadham and Barwick. Given the above comments from the Highways Officer in respect of likely movements of vehicles associated with the use and, given that the development replaces an existing barn at Brands Farm (which also used Kettle Green Road for access), Officers do not consider that the impact on neighbour amenity associated with traffic movements will be to such an extent as to warrant the refusal of planning permission.
- 7.17 With regards to the drying facilities, Officers note that the proposed grain store is around 200metres to the nearest residential properties to the east. The applicant has undertaken a noise assessment which concludes that, following installation of the proposed mitigation measures (which includes an acoustically attenuated air intake louvre), the noise levels will be up to 1 dB(A) above the background noise level and that, having regard to the relevant British Standard, that complaints regarding noise associated with the proposed plant are not 'likely'. The Council's Environmental Health Team raise no objection and the development will therefore not result in significant harm to neighbour amenity in terms of noise disturbance.

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- 7.18 Concerns were previously raised in regards to dust associated with the proposed development and the impact on the farming operation of the Nursery to the east of the site. Supporting information from an Environmental consultant has been submitted which sets out that, to prevent fugitive dust emissions to the Nursery, the main building doors have been located so that they are west facing and away from the Nursery and face a thick belt of existing landscaping to the western boundary. This existing belt of trees will help shelter the building from the prevailing south westerly wind and help reduce the potential for escape of dust emissions from the site. A planting plan is also submitted showing trees and shrubbery on the eastern and southern boundaries of the building which will provide a high level of sheltering and screening from the wind and good dust attenuation.
- 7.19 From the information available and, having regard to the layout of the development, distance to neighbouring development and the landscape proposals, Officers do not consider that the impact associated with dust will be to such an extent as to warrant the refusal of planning permission.

Other matters

- 7.20 Concerns have been raised with regards to the impact of the development on the adjacent water course in terms of leakage of pollutants associated with the use. The proposed development incorporates a drainage strategy utilising swales, filter strips to the swales and an attenuation lagoon. The attenuation lagoon has a flow control which will discharge into the Nimney Bourne. Neither the Environment Agency nor the Council's Engineers raise objection to this strategy and comment that they are pleased to see the inclusion of a detention basin to reduce the risk of surface water runoff, whilst providing additional pollution prevention and biodiversity benefits. Having regard to those considerations, the proposed development provides appropriate provision for sustainable measures for drainage which will not increase flood risk and will enhance the quality of water entering into the Nimney Bourne with added biodiversity enhancements. The provision of filter strips will intercept any pollutants entering the swale and water course and there will therefore be no significant harm of pollution to the water course.

8.0 Conclusion

- 8.1 The proposal represents an appropriate form of development in the Rural Area and will provide an economic form of development which is encouraged in the NPPF. The proposed development will not result in

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significant harm to the character and appearance of the countryside location and the impact on neighbour amenity in terms of noise, disturbance and dust in terms of the building itself and associated traffic movements will not be significantly detrimental. The development incorporates the provision of sustainable drainage systems which will ensure that there is no significant harm in terms of flood risk and in terms of biodiversity impact on the water course adjacent to the site.

- 8.2 Significant concerns have been raised by the Parish Councils and third parties in respect of the impact on traffic along Kettle Green Road and other rural roads and the nearby villages. Officers have carefully considered those concerns but, having regard to the comments from the Hertfordshire County Highways, and given that the development replaces an existing agricultural grain store which accesses onto Kettle Green Road, there will not be significant harm in terms of highway safety or access or in terms of traffic levels along the surrounding highway network and villages.
- 8.3 Officers therefore recommend that planning permission be granted, subject to conditions.