



Appeal Decision

Site visit made on 20 September 2011

by Elizabeth Fieldhouse DipTP DipUD MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 23 September 2011

Appeal Ref: APP/J1915/A/11/2153815

Dowsetts Farm, Colliers End, Ware, Hertfordshire SG11 1EF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr R W Pearman against the decision of East Hertfordshire District Council.
 - The application Ref 3/11/0092/FP, dated 20 January 2011, was refused by notice dated 21 March 2011.
 - The development proposed is an agricultural workshop and farm office.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is whether the proposed building for agricultural use would accord with the aims and objectives of the development plan policies for 'The Rural Area Beyond the Green Belt'.

Reasons

3. The appeal site lies in the rural area beyond the Green Belt where East Herts Local Plan Second Review 2007 (LP) policy GBC3 provides that the construction of new buildings will not be permitted other than, among other points, for agriculture. The proposed building would accommodate welfare facilities for farm workers, a farm office and workshop and would fall within one of the categories of development that can be permitted.
4. The proposed building would be sited at the edge of the historic farm yard separated from the main functioning farm buildings by the access and a large area of hard standing and by farm buildings from the grain store. There is an alternative access between the grain store and other farm buildings that is separated from the historic farm yard by the other buildings.
5. Planning permission was granted for the conversion of listed barns to three residential units in 2006 (3/06/0423/FP). Part of the works involved the conversion of an army barrack hut but it was 'lost' during works to implement the approved conversion. On the site of the hut, new footings and a concrete plinth were built to accommodate a replacement building that would have replicated the original building. The Council deemed that the works were no longer the conversion of an existing building and an application for the construction of a single dwelling on the site was made. This was refused planning permission and the subsequent appeal dismissed (ref).

- APP/J1915/A/09/2104408). Since then planning permission has been refused for an agricultural workers dwelling (3/10/0900/FP) on the same site.
6. The proposed building would be of a similar design and scale to those refused planning permission and would make use of the existing footings, service connections and concrete plinth. The existing farm office and toilet facilities are within the farmhouse that is occupied by the retired farmer with tools and small items securely stored in one of the listed barns. That barn has planning permission to be converted to residential use. The Council acknowledges that a workshop and farm office/welfare facilities are reasonably necessary for the purposes of agriculture within the unit.
 7. LP policy GBC7 requires that new agricultural buildings should be located within or adjacent to an existing group of buildings. The proposal should be accompanied by a landscape scheme and the building should be of a design which is appropriate to its intended use and sympathetic to its surroundings. The provision of adequate landscaping could be adequately covered by condition, meeting the requirement of LP policy GBC7 (b). The proposed building is one that with some variations was originally designed to reflect the lost barrack hut and for residential use rather than specifically designed and sited for agricultural use.
 8. The siting of the building would appear to relate to providing an acceptable use for the existing footings and concrete plinth rather than the current functioning of the agricultural unit. The appellants submitted a drawing with the appeal indicating future possible developments for the farm. These have not been the subject of any planning applications and would be sited to the east of the access track in part on the site of existing functioning farm buildings and away from the historic farm yard. There is no evidence that these building would be developed and no weight is attached to possible future developments.
 9. The appellants had applied to the Council for the proposed building under the Prior Notification procedure (3/10/2086/PA). The Council found that the application, the subject of this appeal, was necessary as works had commenced. The appellants therefore question whether the same building would have been acceptable about 7m to the east on virgin ground. Buildings that might be possible under Prior Notification procedure are also not before me. There is no indication that such development would be likely to be undertaken in the event of the refusal of planning permission. Such matters do not add weight in favour of the proposal.
 10. A need for a farm office and welfare facilities as well as secure storage and a workshop is accepted. Nevertheless, in view of the usage of existing buildings within the functioning farm yard and the separation of the proposed building from the functioning farm yard the location would not accord with LP policy GBC7 (a). It has not been demonstrated that the scale and height of the proposed building with entrance doors to the workshop significantly lower than those to the existing store in the historic barn would be satisfactory for all functions at present accommodated within the listed barn. In addition, I am not satisfied that space could not be adapted within the existing buildings at least to accommodate the workshop tool store need, making a building of the scale proposed unnecessary.
 11. In terms of the design, the proposed building would reflect the post war barrack hut that was moved onto the site in the 1950s. In form or age, the

barrack hut did not relate well to the older barns or the farmhouse that define two sides of the historic farm yard. In addition to which the proposed building would be in a conspicuous position when viewed over the valley from Colliers End. Therefore, it has not been adequately demonstrated that the provisions of LP policy GBC7 (c) would be met.

12. The proposed building would make economic use of the existing footings, concrete plinth and services that have been constructed. Nevertheless, overall the need for the building in the location and of the scale proposed has not been adequately demonstrated. The proposal would not accord with LP policies GBC7 (a) and (c). For this reason the appeal should fail, in reaching this decision all material considerations have been taken into account.

Elizabeth Fieldhouse

INSPECTOR