

DELEGATED FILE NOTE

CASE OFFICER: ...Alex Howard.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
24/01297/FP	Erection of agricultural building on footprint of previously demolished building.	Partridge Hall Farm Deadmans Hill Sandon SG9 0RH

Submitted Plan Nos

1081 - 01 1081 - 02 1081 - 03B 1081 - PL0 1081 - PL02 1081 PL03

CGB1 Rural Areas beyond the Green Belt.

D1 Sustainable design

D3 Protecting living conditions

SECN12 Achieving well-designed places

2.0 **Site History**

- 2.1 **11/00510/1** - Change of Use of land from agriculture to menage and stables. Erection of stable block to comprise four stalls, tack room and lamb and calf housing and erection of barn for storing hay/silage following demolition of existing agricultural buildings (as amended by plans 03B and 10B dated 06.06.11).

Conditional Permission

3.0 **Representations**

- 3.1 **Sandon Parish Council** – None received.

- 3.3 **Site Notice and Neighbour Consultation** – None received.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The application site is an area of land on the west side of Deadmans Hill, Sandon. The site is served by an existing access and comprises an existing agricultural building and the remains of a previous building, as well as a large expanse of associated hardstanding. The land around the site is used for agricultural purposes, including crop production and livestock. The site is designated as within the Rural Area beyond the Green Belt.

4.2 **Proposal**

- 4.2.1 The application seeks planning permission for the erection of an agricultural building on the footprint of a previously demolished building. The building would exhibit agrarian characteristics with a tall internal ceiling height and a shallow dual-pitched roof, whilst

finished in black feather edge weatherboarding on a brick plinth, natural slate tiles and powder coated aluminium windows/doors. The building would also incorporate a large central roller door to facilitate the use of the building for agricultural purposes.

4.3.1 Key Issues

4.3.1 The key issues in this case are:

- ☐ Principle of Development
- ☐ Layout and Design
- ☐ Impact on Neighbours
- ☐ Biodiversity Net Gain
- ☐ Access

Principle of Development

4.3.2 The site lies within the Rural Area beyond the Green Belt, which is covered under Policy CGB1 of the Local Plan. This states:

In the Rural Areas beyond the Green Belt, as shown on the Policies Map, planning permission will be granted provided that the development:

- a) Is infilling development which does not extend the built core of a Category B village;*
- b) Meets a proven local need for community facilities, services or affordable housing in an appropriate location;*
- c) Is strictly necessary for the needs of agriculture or forestry;*
- d) Relates to an existing rural building;*
- e) Is a modest proposal for rural economic development or diversification; or*
- f) Would provide land or facilities for outdoor sport, outdoor recreation and cemeteries that respect the generally open nature of the rural area.*

4.3.3 The site was subject to the grant of planning permission in 2011 to change the use of the land from agricultural to an equine use, including the erection of associated buildings and infrastructure such as manage and stables. This permission included the erection of a building of identical scale and appearance to the building proposed herein. Under the 2011 permission, the building was proposed to be used for the storage of hay/silage. This historic consent was never implemented and is now lapsed, so it is considered that the site is currently under an agricultural use as this was what the 2011 application sought to change from.

4.3.4 The application seeks to erect a building on the footprint of the previously demolished building at this site, where its low-level remains are visible to this day. The supporting Design and Access Statement makes the argument that this proposal is a 'replacement building' as there was once a building there and its replacement was granted planning permission in 2011, but never implemented. It is considered that whilst a building was clearly in this location historically and its replacement was approved, the fact is that the building is not there now and the replacement building never erected, is such that in planning terms this would not class as a replacement building for the purposes of Policy CGB4 of the Local Plan.

4.3.5 However, Policy CGB1 covers instances where new development, of which this must be classed as, is acceptable in the Rural Area beyond the Green Belt. One of the instances

is c) is strictly necessary for the needs of agriculture or forestry. The supporting Design and Access Statement makes the following points of justification in this respect:

“Key features of the proposed building include:

- Increased storage capacity for agricultural products and equipment.*
- Improved facilities for the welfare of livestock.*
- Enhanced energy efficiency through the use of sustainable building materials and renewable energy sources.*
- Compliance with modern agricultural standards and health and safety regulations.*

It goes on to state as follows:

- “• Enhance agricultural productivity by providing better storage and operational facilities.*
- Reduce the environmental footprint of agricultural activities through improved energy efficiency and sustainability measures.*
- Support local food production and contribute to the rural economy”.*

Further justification was sought from the agent to justify this proposal, which states as follows:

“The small holding in question is an agricultural operation with a site area of just under 5-hectares, located in the rural area of North Hertfordshire. It has been a working farm for many years and recently changed ownership. The new owner is keen to make the small holding an operating and profitable farm. They intend to have a diverse farm using traditional methods of crop rotation and livestock. Without the proposed replacement building, there are significant limitations posed by the lack of adequate agricultural infrastructure, which hinders productivity and efficiency”.

An indicative map identifying the land under ownership of the applicant and further land under off, to establish the size and extent of the small holding, was also submitted.

- 4.3.6 As such, based on the aforementioned rationale, it is considered that the proposed building would be used for agricultural purposes in association with an agricultural use of the site and surrounding land for crop production and livestock. It is also understood that the existing larger agricultural building on this site is being refurbished which alongside this proposal, will bring this currently underutilised site back into an appropriate agricultural use in association with the. In this part of the district, agricultural uses and associated buildings are commonplace and are indeed a strong feature of the countryside around Royston and the local economy.
- 4.3.7 Therefore, the proposed development is an acceptable form of development in the Rural Area beyond the Green Belt and would comply with Policy CGB1 of the Local Plan.

Layout and Design

- 4.3.8 Policy D1 of the Local Plan states that planning permission will be granted provided that development responds positively to the site's local context in addition to other criteria. These considerations are echoed in Section 12 of the NPPF.

- 4.3.9 The proposed building has been designed to resemble an agrarian barn style and appearance, measuring approx. 15.6m long and 9.8m wide, with a shallow dual-pitched roof measuring approx. 4.9m to eaves and 7.3m to ridge. The building would be finished in black feather edge weatherboarding on a brick plinth, natural slate tiles and powder coated aluminium windows/doors. The building would also incorporate a large central roller door to facilitate the use of the building for agricultural purposes.
- 4.3.10 It is considered that the proposed development is acceptable in design terms. Whilst it is acknowledged that the building would be a sizable structure in its own right, the form and external materials of the proposed development would be in keeping with the character and appearance of the rural area which must be said to respond positively to the sites' local context. The building would also be set back from the highway by approx. 20.0m and would be sited behind dense landscaping to the south-east of the site, which would screen the proposal from view when travelling north on Deadman's Hill. When travelling south on Deadman's Hill, the building would read in context with the existing agricultural building on the site and the wider agricultural landscape, which is acceptable.
- 4.3.11 As such, the proposed development is considered acceptable in design, in accordance with Policy D1 of the Local Plan and Section 12 of the NPPF.

Impact on Neighbours

- 4.3.12 Policy D3 of the Local Plan states that planning permission will be granted for development proposals which do not cause unacceptable harm to living conditions.
- 4.3.13 Owing to the isolated nature of the site, which is such that it has no immediate neighbours, it is considered that the proposal would not result in any harm upon the amenities and reasonable living conditions of neighbouring dwellings. This is in line with Policy D3 of the Local Plan.

Biodiversity Net Gain

- 4.3.14 This is a form of development which is exempt from BNG Legislation, defined under article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 due to it falling under the scope of the 'de minimis' exemption as the development does not impact a priority habitat and impacts less than 25 square metres (e.g. 5m by 5m) of on-site habitat, or 5 metres of linear habitats such as hedgerows.
- 4.3.15 Moreover, to demonstrate the required measurable net gains in biodiversity in accordance with Policy NE4 of the Local Plan, given that the site is rural and could have some bats and birds in the local area, it is considered reasonable to enforce a condition that the building provides 1 bat and 1 bird box. Lastly, a condition will be enforced that no external lighting will be permitted on this building without prior written approval from the LPA.

Access

4.3.16 The site is served by an existing access onto Deadman's Hill which is not proposed to be reconfigured. This is considered acceptable.

4.4 **Conclusion**

4.4.1 Overall, the proposed development is considered acceptable in planning terms. The scheme is considered in accordance with Policies CGB1, NE4, D1 and D3 of the Local Plan and Section 12 of the NPPF.

4.5 **Alternative Options**

4.5.1 None.

4.6 **Pre-Commencement Conditions**

4.6.1 N/A.

5.0 **Recommendation**

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

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out wholly in accordance with the details specified in the application and supporting approved documents and plans listed above.

Reason: To ensure the development is carried out in accordance with details which form the basis of this grant of permission.

3. The building hereby permitted shall only be finished in the materials as stated on drawing number PL02 and thereafter shall be retained as such, unless otherwise agreed in writing by the LPA.

Reason: To ensure that the building is in-keeping with the area and to protect the visual amenities of the locality and to comply with Policies D1 and D2 of the North Hertfordshire Local Plan 2011 to 2031.

4. Prior to first occupation, the building hereby permitted shall incorporate 1 integrated bird and 1 integrated bat box which shall be retained in perpetuity.

Reason: To enhance biodiversity in accordance with the NPPF and the North Hertfordshire Local Plan Policy NE4

5. There shall be no external lighting unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of the appearance of the locality within the countryside.

Proactive Statement:

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted proactively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Signed  Anne McDonald	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 1 August 2024	