

Agenda Item 5.

Development Management Ref No	No weeks on day of committee	Parish	Ward	Listed by:
160516	13/13	Hurst	Hurst	Major

Applicant	Mr Belcher	Postcode	RG10 0SP
Location	Hatch Gate Farm, Lines Road, Hurst		
Proposal	Full application for the proposed erection of cattle shed no 2		
Type	Major development		
PS Category	6		
Officer	Graham Vaughan		

FOR CONSIDERATION BY Planning Committee on 25th May 2016
REPORT PREPARED BY Head of Development Management and Regulatory Services

SUMMARY

Previously, planning application F/2015/1235 was considered by the planning committee in September 2015. The application considered the formation of a cattle yard on Hatch Gate Farm and the erection of two buildings; a workshop/store and one cattle shed (numbered 1) as well as a perimeter wall around the yard. On the plans, the locations of three further cattle sheds (numbered 2, 3 and 4) were indicated but were not for consideration at the time. Subsequently, three applications have now been submitted for each of the remaining cattle sheds, reference 160516, 160517 and 160518. This means there would be a total of five new buildings on the site overall and currently, two have planning permission, and three do not. For information, neither of the approved buildings has been constructed at the time of this report. Although the plans for F/2015/1235 only indicated the location of cattle sheds 2, 3 and 4; the location of cattle shed 4 has been altered. This has meant the yard area (i.e. the part delineated by the wall) has also changed.

The application site is in designated countryside and is part of a larger farm located in Hurst. The site currently has some buildings used for storage of farm materials and is located at the end of the main group of farm buildings and adjacent to fields. Nonetheless, agricultural buildings in a rural area are considered to be acceptable in planning policy terms and therefore the proposal is acceptable in principle. Existing views towards the site are of agricultural buildings set against a tree lined backdrop and although the proposal would introduce built form in the countryside, it is considered this view would not be impacted upon in a significantly harmful way particularly due to additional landscaping. Subject to conditions, no harmful impacts are identified and therefore the application is recommended for approval.

PLANNING STATUS

- Countryside
- Wind turbine safeguarding zone
- Sand and gravel extraction
- Groundwater protection zone
- Minerals consultation zone

RECOMMENDATION

That the committee authorise the GRANT OF PLANNING PERMISSION subject to

the following:

A. Conditions and informatives:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: In pursuance of s.91 of the Town and Country Planning Act 1990 (as amended by s.51 of the Planning and Compulsory Purchase Act 2004).
2. This permission is in respect of the submitted application plans and drawings numbered 'Site Plan', 'Location Plan', 'Cattle yard fencing detail103/15/1', 'BPL-17/01 Rev D' and 'BPL-17/02 Rev B' received by the local planning authority on 24th February 2016. The development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the local planning authority.
Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the application form and associated details hereby approved.
3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be in accordance with the submitted details on 'proposed external materials - application refs: 160516, 160517 and 160518' unless agreed otherwise in writing with the Local Planning Authority. Development shall not be carried out other than in accordance with these details.
*Reason: To ensure that the external appearance of the building is satisfactory.
Relevant policy: Core Strategy policies CP1 and CP3*
4. The development hereby approved shall not be carried out unless in accordance with the submitted landscaping plan '103/landscaping/16/2' received by the local planning authority on 29th April 2016 unless agreed otherwise in writing with the Local Planning Authority. Planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the occupation of the building(s).
Any trees or plants which, within a period of 5 years from the date of the planting (or within a period of 5 years of the occupation of the buildings in the case of retained trees and shrubs) die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species or otherwise as approved in writing by the local planning authority.
Reason: To ensure adequate planting in the interests of visual amenity. Relevant policy: Core Strategy policy CP3 and Managing Development Delivery Local Plan policies CC03 and TB21
5. a) The development hereby approved shall not be carried out unless in accordance with the submitted 'scheme for the retention and protection of existing Oak Tree' (the Approved Scheme) unless agreed in writing by the local planning authority. The tree protection measures shall be implemented in complete accordance with the Approved Scheme for the duration of the development (including, unless otherwise provided by the Approved Scheme) demolition, all site preparation work, tree felling, tree pruning, demolition works, soil moving, temporary access construction and or widening or any other operation involving use of motorised vehicles or construction machinery.

b) No development (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and or widening or any other operation involving use of motorised vehicles or construction machinery) shall commence until the local planning authority has been provided (by way of a written notice) with a period of no less than 7 working days to inspect the implementation of the measures identified in the Approved Scheme on-site.

c) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within an area designated as being fenced off or otherwise protected in the Approved Scheme.

d) The fencing or other works which are part of the Approved Scheme shall not be moved or removed, temporarily or otherwise, until all works including external works have been completed and all equipment, machinery and surplus materials removed from the site, unless the prior approval of the local planning authority has first been sought and obtained.

To secure the protection throughout the time that the development is being carried out of trees shrubs or hedges growing within or adjacent to the site which are of amenity value to the area, and to allow for verification by the local planning authority that the necessary measures are in place before development and other works commence Relevant policy: Core Strategy policy CP3 and Managing Development Delivery Local Plan policies CC03 and TB21

6. The development hereby approved shall not be carried out unless in accordance with the submitted 'Pond Enhancement Plan – AA Environmental, ref 153266 April 2016' and 'Figure 1 – Pond Plan' unless agreed otherwise in writing with the Local Planning Authority. The enhancements shall be installed in accordance with these details and thereafter maintained.

Reason: To ensure a positive impact on local wildlife occurs. Relevant Policy: Core Strategy policy CP7.

7. No development shall take place within the site until the applicant, or their agents or their successors in title, has secured and implemented a programme of archaeological work (which may comprise more than one phase of work) in accordance with the submitted written scheme of investigation (TVAS document revised 17/03/16 15e242ev) or an equivalent document, which has been submitted to and approved in writing by the Local Planning Authority. The development shall only take place in accordance with the detailed scheme approved pursuant to this condition.

Reason: To ensure that any archaeological remains within the site are adequately investigated and recorded or preserved in situ in the interest of protecting the archaeological heritage of the borough. Relevant policy: National Planning Policy Framework Section 12 (Conserving and Enhancing the Historic Environment) and Managing Development Delivery Local Plan policy TB25

8. The development hereby approved shall not be carried out unless in accordance with the following submitted drainage details unless agreed in writing with the Local Planning Authority:

- STD.01.22 Rev A', 'STD.01.23 Rev A', 'STD.01.85 Rev A', 'STD.01.92', 'STD.01.22 Rev A', 'STD.01.105 Rev A', '27789.50 Rev A1', '27789.103 Rev

A1', '27789.50 Rev A', '27789.100 Rev A1', '27789.101 Rev A1', '27789.102 Rev A1' and 'Micro Drainage Calculations, Archibald Shaw Limited January 2016

- Email from Vince Carpenter dated 28th April 2016
- Letter from Peter Brett Associates dated 15th September 2015
- General arrangement showing balancing pond, Archibald Shaw, 27789 101/A1

The submitted details shall be implemented and thereafter maintained unless agreed in writing by the Local Planning Authority.

Reason: To ensure the development would not have an adverse impact on flood risk for the surrounding area.

9. The development hereby approved shall not be carried out unless in accordance with the submitted 'External Lighting Strategy – BPL-17/01 Rev D' unless agreed in writing with the Local Planning Authority. All external lighting shall be installed in accordance with these specifications and locations and shall be maintained thereafter in accordance with the strategy.

Reason: To ensure impacts on a protected species are mitigated. Relevant policy: Core Strategy policy CP7

10. No trees, shrubs or hedges within the site which are shown as being retained on the approved plans shall be felled, uprooted wilfully damaged or destroyed, cut back in any way or removed without previous written consent of the local planning authority; any trees, shrubs or hedges removed without consent or dying or being severely damaged or becoming seriously diseased within 5 years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of similar size and species unless the local planning authority gives written consent to any variation. *To secure the protection throughout the time that development is being carried out, of trees, shrubs and hedges growing within the site which are of amenity value to the area. Relevant policy: Core Strategy policy CP3 and Managing Development Delivery Local Plan policies CC03 and TB21*

11. All site operatives involved in the removal of potential amphibian refugia or ground disturbance during construction shall be briefed with the submitted Tool-box talk document [Ecological Walk-over Survey, AA Environmental, 3rd September 2015] before commencing work.

Reason: To ensure that great crested newts, a European Protected Species, are not adversely impacted upon as a result of the development. Relevant Policy: Core Strategy Policy CP7

Informatives

1. Should any Great Crested Newts or evidence of Great Crested Newts be found prior to or during the development, all works must stop immediately and an ecological consultant or the Council's ecologist contacted for further advice before works can proceed. All contractors working on site should be made aware of the advice and provided with the contact details of a relevant ecological consultant.
2. This permission relates solely to the building labelled cattle shed 2 on plan BPL-17/01 Rev D.

PLANNING HISTORY

- SO/2015/1249 - Screening Opinion for an Environmental Impact Assessment for the erection of cattle shed and farm machinery store/cattle handling shed and formation of cattle yard determined on 20th May 2015. EIA not required.
- F/2015/1235 – Full application for the proposed formation of cattle yard and associated cattle sheds and farm workshop to be constructed in four phases conditionally approved on 18th September 2015
- 160517 - Full application for the proposed erection of cattle shed no 3 currently pending
- 160518 - Full application for the proposed erection of cattle shed no 4 currently pending
- Some further applications related to typical farm activities but not directly on the site

CONSULTATION RESPONSES

Highways	No objection
Archaeology	No objection subject to condition (7)
Biodiversity	No objection subject to conditions (6, 9, 11)
Tree and Landscape	No objection subject to conditions (4, 5, 10)
Environmental Health	No objection
Drainage	No objection subject to conditions (8)
Waste Services	No comments received
Conservation	No objection
Hurst Parish Council	No objection
Local Members	No comments received

REPRESENTATIONS

- None received

APPLICANTS POINTS

- Demonstrated agricultural need for cattle provision
- Acceptable use in the countryside
- Accords with relevant criteria for cattle rearing
- Principle of cattle sheds already approved

PLANNING POLICY

National Policy	NPPF	National Planning Policy Framework
Adopted Core Strategy DPD 2010	CP1	Sustainable Development
	CP3	General Principles for Development
	CP6	Managing Travel Demand
	CP7	Biodiversity
	CP11	Proposals outside development limits (including countryside)
Adopted Managing Development Delivery Local Plan 2014	CC01	Presumption in Favour of Sustainable Development
	CC02	Development Limits
	CC03	Green Infrastructure, Trees and Landscaping

	CC04	Sustainable Design and Construction
	CC09	Development and Flood Risk
	CC10	Sustainable Drainage
	TB21	Landscape Character
	TB25	Archaeology
Supplementary Planning Documents (SPD)	BDG	Borough Design Guide

PLANNING ISSUES

Description of Development:

1. This application should be read in conjunction with applications also on the agenda (reference 160517 and 160518) and further to planning permission F/2015/1235 which granted permission for the formation of cattle yard and the erection of two buildings; a workshop/store and one cattle shed as well as a perimeter wall. This planning permission showed indicative locations of three further cattle sheds; however these were not for consideration at the time. This current application relates to one of those sheds: cattle shed number 2. The shed would be 30.5 metres in width and 36.6 metres in length with an eaves height of 4.9 metres and a ridge height of 7.8 metres. Also proposed is a change to the permitted perimeter wall to accommodate a new location of cattle shed 4 which would enlarge the cattle yard from what was previous approved. The wall would be 1.68 metres in height and would be for wildlife protection.

Principle of Development:

2. The previous application F/2015/1235 considered that there was a recognisable need for the cattle sheds due to the business requirements of the applicant. This was in part due to Belcher Farms (the applicant) being required to move the cattle from another farm to Hatch Gate Farm and also the opportunity to replace existing cattle sheds with new, up-to-date sheds. Whilst the permission was only for two buildings, the plans indicated a further three cattle sheds would be required to give a sense of scale of the development. As such, there are now three new buildings proposed on the site however it is considered the principle of development has been established by the previous application F/2015/1235 and the subsequent applications for the cattle sheds are not considered to result in any changes from this.

Environmental Impact Assessment:

3. The site and development have been subject to a screening opinion with regards to the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (reference SO/2015/1249). This found that the impact on the environment was not substantial and therefore an Environmental Impact Assessment was not required.

Character of the Area:

4. The area is rural in character and appearance and particularly influenced by agricultural buildings and views to wooded areas. Surrounding the application

site, the land is flat and low hedge rows delineate fields. Although there are other land uses in the area, Hatch Gate Farm itself occupies a significant amount of land with the farm buildings approximately central in this.

5. The building proposed would be of a large size and occupy a large footprint. Nonetheless, it would be of an appearance typical of agricultural buildings and it is noted the size relates partly to the requirement of legislation on cattle herding. In addition, agricultural buildings are common in the area and in this respect additional buildings are not considered to have a harmful impact. However, criterion 2 of policy CP11 requires that proposals do not encroach on the countryside and it is acknowledged that due to their size and location, the buildings would create additional built form.
6. Weight should be given to the impact on the countryside as a result of the additional built form but this is considered to be outweighed partly by the benefits of ensuring an agricultural use remains on the site and the economic benefits this would bring but also as it would be in keeping with the character of the area. Indeed some buildings already existing on the site and a large area is covered in hard standing. Additionally, mitigation of the impact of the proposal would be provided through landscaping which over time would help it integrate into the landscape. Overall therefore, this is not considered sufficiently harmful to warrant refusing the application.

Landscape and Trees:

7. The only significant tree that could be potentially impacted is an oak tree to the west of the site. However it is considered that suitable tree protection methods could be provided and secured through a condition (5) to safeguard the tree.
8. In terms of the wider landscape, the current views into and around the site are of agricultural buildings set against a wooded background. Hedgerows at the edge of roads prevent many long range views and the farm buildings themselves are set a significant distance from the road. Within the site, it is acknowledged that views from dwellings are possible however this tends to be from first floor windows only. Given that the proposal would introduce further agricultural buildings in an area which already has such buildings, no significant harm is considered to occur. Notwithstanding this, through agreeing landscaping details for the previous application, it has also been agreed that the row of planting would be triple rather than double. As such, the Tree and Landscape Officer is satisfied that the proposal would not have a detrimental impact on the landscape character of the area subject to conditions 4 and 10.

Residential Amenities:

9. Due to the significant separation distances to any neighbouring properties (approximately 50 metres to the nearest property which is on but not associated with the farm), no harmful impact on residential amenity is considered to occur.

Heritage Assets:

10. Old Hatch Gate Farm Cottages are a Grade II listed building (and the nearest residential property to the site). Whilst the built footprint of the farm would be

increased, the cottages are considered to be of a sufficient distance away to mitigate any harmful impact on the setting of the listed building. As such, the Conservation Officer does not object to the proposal.

Highways and Access:

11. Access to the farm is achieved from three different points with the main being from Lines Road however the proposal would not alter any of these. Similarly, the farm already has vehicle movements and parking associated with typical farm activities and the addition of the cattle yard is not considered to increase the pressure for parking on the site or traffic movements. As such, the Highways Officer does not object to the proposal.

Flooding and Drainage:

12. An initial assessment of the site regarding drainage has been submitted detailing how surface water drainage would be impacted. Whilst it is acknowledged the roof form of the buildings would be large and therefore would increase run-off, it is proposed to discharge this into an existing pond subject to viable capacity or if not, into a new pond. This is considered to be an acceptable solution for all the proposed buildings given that the site is in an area of very low risk from surface water flooding. Further details have been agreed as a result of the previous application and therefore it is considered necessary to condition that the drainage scheme is carried out in accordance with these details (condition 8).

Environmental Health:

13. The site is a working farm and the proposal would be an extension of this. In this respect there is already an impact in terms of environmental health. In any case, the Environmental Health Officer is satisfied that the separation distance to nearby properties would mean no harmful impact would occur.

Biodiversity:

14. Due to the proximity to ponds and the prevalence of Great Crested Newts (GCN) in the area, a survey of these ponds has been submitted. The survey concludes that GCN are unlikely to be present. Whilst the Council's ecology officer accepts this, given the extent of the work proposed, a condition (11) requiring site operatives to be made aware of GCN is considered necessary.

15. The site is also in close proximity to a known bat roost and therefore there is potential for the proposal to impact negatively on local bat populations through additional artificial light. A lighting scheme has been submitted and agreed in relation to the previous application F/2015/1235. The scheme accounts for the additional buildings and therefore the current application is considered acceptable subject to a condition requiring this scheme to be carried out (condition 9).

16. Additionally, any landscaping (i.e. standard hedging) or ponds for surface water run-off that may be provided could also utilise wildlife enhancement methods which would be a positive impact. The precise details of this have again been agreed through the previous application and therefore it is considered acceptable

to condition that this application is carried out in the same manner (condition 6).

Community Infrastructure Levy:

17. As the proposal is not for new residential or retail floor space, the proposal is not CIL liable.

Employment Opportunities:

18. Whilst the proposal is a major application and Policy TB12 of the MDD states these should be accompanied by an Employment and Skills Plan, the opportunities provided by the scheme are considered to be limited and not of a type that would suit an employment skills plan. As such, it is considered there is no harm in not requiring a plan to be submitted.

Archaeological Impact:

19. Due to the archaeological potential of the site and surrounding area, Berkshire Archaeology has requested a condition (7) for a written scheme of investigation to be submitted. This has been carried out for the previous application and therefore a condition relating to this application is considered appropriate.

CONCLUSION

The proposal is for an acceptable use in the countryside and no significantly harmful impact on the character of the area would occur. Subject to appropriate conditions, it is considered no harmful impact would occur in terms of highways, ecology or trees or the wider landscape. Furthermore, the site is located a sufficient distance from residential properties in order to not have a harmful impact on residential amenity. As such, the proposal accords with the development plan and is recommended for approval.

CONTACT DETAILS

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