

SITE PLAN ATTACHED

FAR END, DAYS LANE, PILGRIMS HATCH, ESSEX, CM15 9SJ

CONSTRUCTION OF A BARN

APPLICATION NO: 18/01663/FUL

WARD Pilgrims Hatch

PARISH

CASE OFFICER Mrs Nikki Dawney 01277312500

The application has been referred by Cllr Aspinell on the grounds that the construction of an agricultural and forestry barn at this location is essential for the safe storage of agricultural equipment, along with providing a protected environment for the storage of various crops, hay and logs and is sensitively sited and designed.

1. Proposal

The proposed barn will be located within the site closest to Days Lane. The barn would set back somewhat from Days Lane and accessed via a new entrance road and area of hardstanding. The front elevation of the barn would be oriented towards Days Lane. A gabled barn door is proposed which is full height, 4.1m wide with a projection of 1.56m. The barn would measure 11m deep. The width including a single storey canopy to the east would be 28.5m. The total height would be 4.5m. The barn would be constructed of timber weatherboard above a brick plinth with a 'plain' tiled roof.

2. Policy Context

Local Development Plan:

The Local Development Plan is currently at the Draft Stage (Regulation 18) and as there are outstanding objections to be resolved, only limited weight can be given to it in terms of decision making, as set out in paragraph 216 of the National Planning Policy Framework. As the plan advances and objections become resolved, more weight can be applied to the policies within it. Nevertheless, the draft Local Plan provides a good indication of the direction of travel in terms of aspirations for growth in the Borough and where development is likely to come forward through draft housing and employment allocations. The next stage of the Local Plan will be a Pre-

Submission Draft (Regulation 19) which is currently anticipated to be published September. Following this, the Draft LDP will be submitted to the Secretary of State for an Examination in Public. Provided the Inspector finds the plan to be sound it is estimated that it could be adopted in 2019.

National Planning Policy Framework (NPPF) 2018

National Planning Practice Guidance (NPPG)

Policy CP1 General Development Criteria

GB1 & GB2 Green Belt

GB14 Agricultural Buildings

3. Relevant History

- APP/H1515/C/15/3140457 – Enforcement appeal dismissed for the construction of hardstanding. The hard standing has since been removed.

4. Neighbour Responses

Two letters of objection received relating to inappropriate development in the green belt.

5. Consultation Responses

- **None undertaken**

6. Summary of Issues

- **Location**

The site is located on the southern side of Days Lane and has a vehicular access from Days Lane opposite Far End, the applicants home. The site is a 5.6ha field in attractive open countryside and within the Metropolitan Green Belt.

An unannounced site visit was undertaken on 11th December, the applicant was at home and available to provide access to the site. The site is a lush open field. The tip of the site closest to Far End accommodates two elderly horse in an informal enclosure, a small mobile stable, 3 metal containers, a small caravan, horse box, 2 cars and a small stack of sealed hay bales and a small pile of logs. Other miscellaneous items were scattered in this area of the site such as a skip, broken palettes and broken white goods. No hardstanding was evident on site.

- **Green Belt**

The Government attaches great importance to the Green Belt. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of the Green Belt is their openness and their permanence. Para 143 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved unless in very special circumstances. Para 145 goes on to state that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt but lists seven exceptions, relevant here is the NPPF para 145 (a) Buildings for agriculture and forestry.

In this instance, the buildings referred to are those deemed reasonably necessary for the purposes of agriculture and forestry. The applicant has submitted a supporting statement which outlines that the barn is *'to be used for the storage of hay, crops, logs, forestry and agricultural equipment used by the applicant/s business and sourced from surrounding fields'* This was confirmed during our onsite discussion. There was no evidence of crops or recently felled trees directly from this site. Sealed bags of hay had been acquired off set and there was no evidence to suggest that a harvest of hay had been undertaken here. The intent of NPPF para 145 (a) is to provide necessary buildings for works directly associated with the land within the subject site. I would conclude that the proposed barn merely facilitates the storage of materials from surrounding fields and the agricultural equipment referenced by the applicant is required to facilitate this business provision. Therefore, effectively what is sought here is a business storage facility which would be inappropriate in this Green Belt location.

It is recognised that an open field of this size would require maintenance with sizable machinery which is over and above that of a domestic garden. Nevertheless, the site is an unworked field and it is considered that the proposed barn is excessive in terms of the space required for such machinery and is inappropriately oriented and sited to be practically useful. The proposed barn would occupy land that is presently open and undeveloped. As a new built development it would inevitably impact upon the area's openness. In this instance the development should respect its setting in terms of bulk, scale and massing.

Any new building on undeveloped land will have some effect upon openness. But it is clear that in some instances the function of a building must also be further examined in addition to its size for the purpose of interpreting para 145 (a) of the NPPF. To do otherwise would lead to a misplaced conclusion that any new building in the Green Belt would be inappropriate and therefore harmful by definition; clearly not what was intended by the Framework in light of the exception given. It is therefore considered that if the function of a building is appropriate, then some built development could potentially be accommodated without harm to the openness of the Green Belt.

The barn would be visible from Days Lane and the orientation of the building is not practical for works directly associated with the land. Vehicles and machinery would be required to manoeuvre around the building. Normally barns are oriented to provide direct access to the land, this not achieved here. The barn as proposed is considered excessive in terms of bulk scale and massing in relation to its direct association with the land and

setting. The siting, width and depth of the barn would be inappropriate development in the Green Belt harmful to its the openness.

The site currently accommodates containers and miscellaneous items which are unsightly, however, the proliferation of such items should not be considered as reasonable justification to warrant excessive levels of storage in this Green Belt location.

Moving forward:

Contact with the agent has been initiated in recent months to discuss a suitable route forward. However, no response has been received from either the agent or applicant.

It is considered that should the function of the barn, clearly established by the agent/applicant, be deemed reasonably necessary by Officers for the purposes of agriculture and forestry directly relating to this site then some built form could be accommodated here. However, the barn should be located more discreetly within the site, with a practical orientation and of a reduced scale and bulk suitable to the established need of the ongoing function and maintenance of this particular site.

7. Recommendation

That the application be REFUSED for the following reasons:-

R1 U28256

The proposed development would be an inappropriate and incongruous form of development within an otherwise open area of Green Belt due to the orientation, poor design and excessive scale, mass and footprint which would result in a reduction in the openness of the Green Belt and conflict with the purposes of including the land within the Green Belt contrary to the NPPF para 143 and 145 (a) as well as Policies GB1 and GB2 of the Brentwood Replacement Local Plan.

R2 U28255

There are no matters which would clearly outweigh the harm the development would cause through inappropriateness, reduction in openness of the Green Belt, conflict with the purposes of including land in the Green Belt and harm to the character and appearance of the area. Therefore, no very special circumstance exist to justify the grant of planning permission for the inappropriate development proposed.

It could be argued in this case that the building is not deemed reasonably necessary for the purposes of agriculture and forestry for works directly associated with the land within the subject site and fails to conform to aims and objections of para 145 (a) of the NPPF.

Informative(s)

1 INF05 Policies

The following development plan policies contained in the Brentwood Replacement Local Plan 2005 are relevant to this decision: National Planning Policy Framework (NPPF) 2018 and NPPG 2014.

2 INF20 Drawing Numbers (Refusal)

The drawing numbers listed above are relevant to this decision

3 INF23 Refused with Way Forward

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. Unfortunately, it has not been possible to resolve those matters within the timescale allocated for the determination of this planning application. However, the Local Planning Authority has clearly set out, within its report, the steps necessary to remedy the harm identified within the reasons for refusal - which may lead to the submission of a more acceptable proposal in the future. Further advice may be sought from the Local Planning Authority via the pre-application service prior to the submission of any revised scheme. Details of the pre-application service can be found on the Council's website at www.brentwood.gov.uk/preapplicationadvice

BACKGROUND DOCUMENTS

DECIDED:

