

Land at The Vineries, Green Tye, Much Hadham
Guy and Wright Ltd
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NEW AGRICULTURAL ACCESS **PLANNING STATEMENT**

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1.0 Context

- 1.1 The site subject to this proposal is The Vineries, Green Tye, Much Hadham SG10 6JJ (“The Vineries”). The Vineries is situated to the southeast of Much Haham, northwest of Bishop’s Stortford and northeast of Ware. The Vineries falls within the hamlet of Green Tye, with the B1004 to the north, Stansted Hill Road to the west, and Parsonage Lane to the east.
- 1.2 The land subject to this proposal is in agricultural use and is farmed on an arable rotation, typically cereal crops, and comprises of around 90.82 acres of Grade 2 arable land. The Vineries also hosts multiple greenhouses for the purposes of growing and producing salad crops, and an anaerobic digester (“AD plant”) located in the farmyard of the Vineries, which is used to produce green energy and to fertilise the crops on the surrounding agricultural land to assist the farm business. Grassland is included in the arable rotation, so grass silage is often produced on the holding. This facilitates three cuts per year. There is no means of storage on site for silage, so this is sold and transported off site by agricultural machinery/lorries.
- 1.3 Currently, The Vineries is accessed using a shared farm access track adjacent to the road through the small rural village of Green Tye, which is an unclassified road. This access route through Green Tye is shared between the HGV traffic servicing the AD Plant, agricultural machinery and traffic resulting from agricultural workers at The Vineries, along with residential traffic for the village.

2.0 Proposal

- 2.1 The multitudes of activity within The Vineries, including produce collection, stock and input deliveries often made by HGVs, has resulted in significant vehicle movement within the farmyard, and has resulted in the access point being shared by both this commercial traffic and the agricultural traffic. Whilst much of the farm traffic is directed across the agricultural land (utilising an existing field access), this is only serviceable during the warmer, drier months due to the impact on the land.
- 2.2 This issue has been further exacerbated by the increasingly larger, modern farm machinery traffic to facilitate the sustainable growth of the farm business owned by the applicant, and the HGV lorries which are required to service the AD Plant. The current main access into the farmyard is unsuitable as it cuts through the farmyard, where the greenhouses are located. These internal farmyard tracks are very narrow, and if traffic needs to pass each other, this can be a significant safety issue. Furthermore, the majority of vehicle movements are concentrated on a single access point, which can only be reached through the village. This all impacts the continuation and function of the AD Plant and the agricultural farm business as a whole as it has begun to affect the appetite of modernising machinery for the benefit of the farm business due to the issue with the access.
- 2.3 Further, Green Tye is a small hamlet, accessed via one main road, and is home to multiple residential occupiers. The applicant is therefore conscious of the affect both the volume and size of these vehicles are having on the residents of Green Tye and the potential for disruption. This significant mix of traffic presents a health and safety issue, as well as being impractical for all current users who use the road running through Green Tye, much of which being residential traffic.

- 2.4 The applicant has a second point of access from Parsonage Lane onto the farmland. This is well established and is utilised wherever possible (i.e. when ground and weather conditions allow). However, without an appropriate surfaces bell mouth and track leading across the land to the farmyard, the use of this access is limited.
- 2.5 The images below show the entrance from the highway and access route across the arable land.



- 2.6 As part of the proposal, all regular vehicle movements must access the site via A1184 and Parsonage Lane (the Sawbridgeworth – Bishops Stortford Road), as stipulated by the Applicant. This will clearly be signposted on site. The site is serviced by regular drivers with long standing commercial relationship and this is strictly enforced. There will also be a secure gateway at the site entrance.
- 2.7 It is clear from the photos above that this is a well used and established access route for farm vehicles. However, it can only be used on an occasional basis. This is due to ground becoming extremely muddy, rutted, and churned up during the wetter winter months, making the route impassable, even for some farm vehicles. This has a negative impact on soil structure and can result in additional surface run off. Furthermore, there is crop loss where the farmer has to take alternative routes across the land, which has a negative economic impact.
- 2.8 In the summer, the deep ruts remain in the track from winter usage, meaning it is difficult to use the track and can be dangerous for some vehicles. Soil compaction and run off are also an issue.

As such, despite being well established, the track serves a limited purpose at the moment and could be much better used by the farm business.

- 2.9 The Applicant therefore proposes the creation of a new agricultural access to The Vineries by creating a newly surfaced access track from the agricultural land and onto Parsonage Lane, in order to serve the agricultural holding and this AD Plant. The primary use of the proposed new agricultural access point and access road is essential in order to allow the continuation of the farm business. There are circa 20 HGV/tractor and trailer movements associated with each silage cut (typically three cuts per year), which is agricultural produce. In addition, there are movements from farm machinery, foragers and so on during silage production, all of which are significantly limited due to the unsurfaced existing access point with no formal farm track. The farm also produces 35,000 tonnes of fertiliser for neighbouring farms from the AD plant. This is transported by tractor and trailer for spreading as a farming input. Straw is also transported to the site, meaning there are considerable agricultural movements which currently use a sub-standard access. The proposal will benefit both the AD Plant and agricultural use of the land in a safe and sustainable manner, whilst also bypassing the village to reduce the amount of vehicle disruption affecting Green Tye. It should also be noted that the nursery is also run using a biomass boiler, which requires 2,000 tonnes of straw and 1,000 tonnes of woodchip per year. These currently are delivered by lorries via the main farm entrance, but could be redirected to the proposed new point of access.
- 2.10 A separate designated access track would significantly benefit both the farm and the AD Plant. Farm machinery is often required to operate at night (especially during harvest time), and the AD Plant can only continue in operation by being serviced by HGV lorries. Therefore, aside from the safety benefits, there will also be a significant benefit to the amenity for the other village occupiers, particularly as this proposal will allow the majority of the traffic to by-pass the village by allowing access from Parsonage Lane.
- 2.11 Rural and farming business are under unprecedented pressure to streamline their operations and increase profitability as a result of the changes introduced following Brexit. Direct payments, previously paid to farmers under the Common Agricultural Policy (CAP) through EU legislation are being phased out, and eventually ending in 2027. It is therefore increasingly important that The Vineries has the infrastructure needed to facilitate the continued use of the AD Plant and to be accessed by the ever evolving modern farm machinery in order for the farming side of the business to remain profitable.
- 2.12 Due to the reasons set out above, the applicant is proposing the construction of a new access point and internal access track in order to access The Vineries, as outlined below. The proposed new agricultural access is considered to be ‘reasonably necessary’, and indeed essential, for the purposes of agriculture on the holding and continued use of the AD Plant.

3.0 Location

- 3.1 We enclose the Site Plan which shows the proposed location of the access track edged red on the accompanying plan.
- 3.2 The location has been identified as the most suitable position for this development as it meets an existing established point of access and provides the most direct and efficient means of serving

the agricultural land and accessing the AD plant. This will provide considerable benefits both in terms of sustainability and minimising costs to the farming and AD Plant operation. It will substantially improve the operational effectiveness of the unit and improve the safety and amenity of nearby residential occupiers, as well as enhancing the access on and off Parsonage Lane for agricultural vehicles.

- 3.3 It is acknowledged that the internal access track will cross two public rights of way (which is already the case with the current usage of the site). This proposal is seen to improve the safety for the users of the Right of Way tracks. Currently, farm machinery already uses the internal tracks within the arable land. By having a designated farm track, this will allow users to anticipate vehicle movements more accurately and therefore improve safety.
- 3.4 Gates will be provided on the public footpaths at either side of where they cross the proposed access road, such that pedestrians when stopping to open the gates would naturally look up and down the access road and see any oncoming vehicles, and accordingly wait until the vehicle has passed and it is safe to cross.
- 3.5 Significant consideration has been given to ensure that the proposed access point and internal access track from Parsonage Lane and through the agricultural land avoids the trees which are situated to the entrance of Parsonage Lane and within the agricultural land. The proposed access route will therefore include a gentle bend to ensure these trees are unaffected. This is also considered to be more reflective of the surrounding landscape, with winding country roads.
- 3.6 Further, the applicant is willing to undertake additional tree planting and is willing to accept a landscaping condition to ensure this. Proposed locations for tree/hedgerow planting include adjacent to the new access (whilst maintaining visibility splays), as well as adjacent to the pedestrian footpath crossing points (again, whilst ensuring suitable visibility remains). It is considered that the proposed location will be of no detriment to the landscape, character or appearance of the site or the surrounding area. The applicant is willing to accept a condition in respect of landscaping, if required.

4.0 Planning Policy

- 4.1 The Vineries is situated within the jurisdiction of East Hertfordshire District Council.
- 4.2 The proposal is for the creation of a new agricultural access through arable land to the farmyard for the purposes of farming. The proposal is essential to allow for cultivation and continued agricultural use of the land as the current access point is becoming unsuitable for modern farm machinery, along with HGV lorries, which are required to service the AD Plant.
- 4.3 **Supporting Rural Business**
- 4.3.1 Paragraphs 88 and 89 of the National Planning Policy Framework (“NPPF”) refers “*Supporting a Prosperous rural economy*”. Within this, Paragraph 88 (b) specifies that planning decisions should enable the development of agricultural and other land-based rural business. Further, paragraph 89 recognises that sites required to meet business needs “*may have to be found adjacent to or beyond existing settlements*”, although developments here will need to be

“sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable”.

- 4.3.2 This proposal is entirely for agricultural and rural business purposes, to include predominantly farming operations but also to support the diversified AD plant. It will allow for access to maintain the running of the AD Plant, and to maintain the agricultural land. This also links directly to assisting to contribute to the local economy; the current access is becoming inadequate in size to keep up with the increase in size of farm machinery and the route across the land is not serviceable year-round. Agricultural development is strongly supported by the NPPF and is therefore an acceptable form of development in the countryside. The new access track will assist in safeguarding the countryside in sustainable economic growth as machinery size increases, as it will allow for the affected fields to continue being used for agricultural purposes and will actually serve to increase the farmed area, with a designated access route through the land. The proposal will not impact the landscape or scenic beauty, other than assisting in helping preserve the agricultural activity in the area. The applicant is also willing to accept a condition with regard to landscaping, should the Council require any additional planting.
- 4.3.3 There will be no impact on the surroundings as the proposal will ensure that the landscape, character and appearance of the land remain agricultural. Providing access onto this land will allow for the continued maintenance and farming of the land, therefore preserving the agricultural landscape. HGV lorries are already required to service the AD Plant, and therefore there will be no change to the surroundings from the development of the track. The overall number of vehicle movements to The Vineries will remain unchanged, but redistribution of those movements will lead to an overall enhancement. As discussed in paragraph 3.5 above in this application, considerable lengths will be taken to ensure that the natural habitat of the area is maintained and the trees in proximity of this proposal are not affected.
- 4.3.4 Policy ED2 of the East Hertfordshire District Plan 2018 (“Local Plan”) states that ~~there should be an effort to~~ *“In order to support sustainable economic growth in rural areas and to prevent the loss of vital sources of rural employment, proposals that create new employment generating uses or support the sustainable growth and expansion of existing businesses in the rural area will be supported in principle where they are appropriately and sustainably located and do not conflict with other policies within this Plan”.*
- 4.3.5 The proposal is to help assist the sustainable growth of the farm business and allow the continued use of the AD Plant which provides green energy, as well as fertiliser for the land. As indicated, with farm machinery continuing to advance and HGV lorries required for the AD Plant, it is important that the infrastructure advances in conjunction with the advances of agricultural business in order to maintain this sustainable growth. The proposal would seek to substantially improve the access from Parsonage Lane, whilst significantly reducing vehicle movements associated with the farm and AD plant through Green Tye, therefore benefiting local residents.
- 4.3.6 The proposal supports the agricultural use of the land, allowing it to continue to be farmed. This will be of economic benefit to the rural economy and is therefore supported by planning policy.
- 4.3.7 The proposal is required to support the continuation of an existing farm business and, in turn, the employment of those who work the land. The upgrading of the access and provision of a surfaced track is essential to both the farm business and its employees.

4.3.8 The proposal is appropriately and suitably situated, taking into account the surrounding areas as described in paragraphs 3.4 and 3.5 above, and is the most effective route to allow the bypass of the village of Green Tye whilst also allowing efficient access to the Vineries. As laid out below, there are no conflicts with other policies of the Local Plan.

4.4 Rural Area Beyond the Green Belt

4.4.1 Policy GBR2 of the Local Plan details that development in the Rural Area Beyond the Green Belt will be permitted where they are compatible with the character and appearance of the rural area and development relates to *“a) buildings for agriculture and forestry...c) new employment generating uses where they are sustainably located, in accordance with Policy ED2 (Rural Economy)”*.

4.4.2 The proposal subject to this proposal therefore is considered to fall under the development permitted in the Rural Area Beyond the Green Belt. Development is clearly permitted for the purposes of agriculture, as detailed in sub-section a of Policy GBR2. This proposed access point and internal track would not amount to such significant development as that of a development of a building however and would therefore not have such an impact on the character or appearance.

4.4.3 Policy GBR2 also permits development within the Rural Area Beyond the Green Belt where the development would generate employment for the rural economy. The development of this access point and internal access track would allow the farming business to continue to grow by allowing the farming machinery to increase in innovation and allow the AD Plant to continue to operate in a sustainable manner. It will also significantly enhance working conditions for existing employees through more efficient working practices and improving Health and Safety within the farmyard as there will be less movements around the buildings.

4.4.4 The proposal is required to support the continuation of an existing farm business and, in turn, the employment of those who work the land. The creation of a new point of access is essential to both the farm business and its employees.

4.5 Highways and Transport

4.5.1 Paragraph 115 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety (i.e. if the impact is *“severe”*).

4.5.2 The Highway Technical Statement dated 5 January 2024 (*“Highways Technical Statement”*), submitted with this Application, indicates that the current access point into The Vineries, accessed through the village of Green Tye, is disruptive to the village residents given the scale of the machinery required to access the property and would not result in a negative impact to the local highway network. In fact, the Highways Technical Statement indicates that this proposal would have an *“overall benefit through the removal of existing HGV traffic which currently travels through the village of Green Tye”*. Please note this includes those movements associated with the farm business/agricultural operations.

4.5.3 The proposed new access will provide sufficient visibility splays 2.4m x 35.5m to the south and 2.4m x 32.5m to the north of the proposed access point. An ATC survey was undertaken which supports this proposal, which forms an appendix to the Highways Technical Statement. The

proposal is considered to provide suitable access for agricultural business use, and the proposed access can be provided in accordance with current design standards.

4.5.4 The proposal to provide a new access point and track is considered to provide a suitable level of vehicular access to the site in the context of agricultural and rural business use. The proposed new access arrangements at The Vineries can accommodate the manoeuvring requirements of the vehicles likely to utilise the access. The traffic generated by the proposal can be accommodated on the local road network without having an adverse impact on highway safety or capacity in the vicinity.

4.5.5 Policy TRA2 relating to Safe and Suitable Highways Access Arrangements and Mitigation states that *“Development proposals should ensure that safe and suitable access can be achieved for all users. Site layouts, access proposals and any measures designed to mitigate trip generation produced by the development should:*

(a) Be acceptable in highway safety terms;

(b) Not result in any severe residual cumulative impact; and

(c) Not have a significant detrimental effect on the character of the local environment.”

4.5.6 As demonstrated in paragraph 3.5.2 above in this Application, the Highways Technical Statement demonstrates that this proposal provides safe and suitable access. The Highways Technical Advice Letter further states that the proposal should be *“supported on Highways grounds”*. Further, the impact on Highways should be reduced by rearranging this access; by providing access to allow the bypassing of the route which runs through the village of Green Tye, this will, in fact, reduce the *cumulative impact* on the highways, and reduce the *detrimental effect on the character of the local environment* by moving the agricultural machinery and HGV traffic from the village road to a more suitable highway, being Parsonage Lane.

4.5.7 The proposal at The Vineries is considered to meet Policy TRA2 as it will be integrated into the existing transport network. Further, as the Highways Technical Advice Letter highlights, significant consideration has been given to ensure that the proposal considers the safety and suitability for all potential users as the new access has been carefully designed to accommodate the swept path tracking of long-articulated vehicles which is the largest vehicle anticipated, along with multiple passing points for such vehicles.

4.5.8 It is certainly not anticipated that this proposal would have any impact on the generation of traffic, it just seeks to resolve the current disruption caused by having residential traffic and farm traffic using the same access route through the village of Green Tye. As this will not change the volume of traffic, the proposal can be accommodated on the local road network without having an adverse impact on highway safety or capacity in the vicinity.

4.5.9 Policy EQ2 of the Local Plan confirms that development should be *“designed and operated in a way that minimise the direct and cumulative impact of the noise on the surrounding environment”*. In fact, it is considered that this proposal will in fact reduce the noise pollution and remove this from a sensitive location, being the small rural village of Green Tye, and instead redirecting any potential noise pollution caused by the machinery traffic needing to access The Vineries. It is therefore not considered that a Noise Impact Assessment is required for this application.

4.6 **Fallback Position - The Town and Country Planning (General Permitted Development) (England) Order 2015 (“GPDO”)**

- 4.6.1 The GPDO allows for the installation of new internal access roads that are reasonably necessary for the purposes of agriculture under Class A.
- 4.6.2 We are able to implement the proposed internal access track, using Class A, as the proposal complies with the criteria contained within Class A. This proposal is necessary for the purpose of agriculture. This should be a material consideration in support of the proposal as it clearly shows the intention to allow for the creation of new points of access for agricultural purposes.
- 4.6.3 The criteria in relation to road classification is to ensure the safety of both site and road users. The proposal will be of no detriment to the safety of users of the site or local highways network (as demonstrated within the Transport Statement) and is reasonably necessary for the purposes of agriculture. In fact, we argue that the proposal is essential for the purposes of agriculture as the site cannot be farmed without an agricultural access, and in fact increases safety as it will widen the access point for farm machinery.
- 4.6.4 The existence of Class A clearly shows the Government’s support of development for agricultural purposes, which should also be a material consideration.

5.0 **Design and Access Statement**

5.1 **Use**

- 5.1.1 The Highways Technical Statement, submitted with this application, indicates that this proposal at The Vineries is of no detriment to highways safety, and in fact, there is clear evidence that the proposal will improve highways safety as described above.
- 5.1.2 There will be no material change of use as the land which is the subject of this proposal will remain entirely in agricultural use.

5.2 **Amount**

- 5.2.1 The proposal is limited to the creation of an internal access track, with a simple priority junction to Parsonage Lane as the access point. The access point would measure 15m long with a width of 7.6m, for the initial circa 45m. This has been proposed as this will allow two maximum legal length articulated vehicles (18.55m long) to pass at the access point. This access point would include “Give Way” markings and signage at the access point as described in the Highways Technical Statement.
- 5.2.2 The internal access track would comprise of a width of 4m and would extend 410m from the highway to the farmyard of The Vineries. The addition of 3 additional passing places is proposed along the access road to facilitate two-way HGV movements.
- 5.2.3 The design of the proposed new access will provide sufficient visibility splays of 2.4m x 35.5m to the south and 2.4m x 32.5m to the north. The initial 15m of the access point would be

constructed with asphalt concrete to provide suitable hardstanding for the access point, with the remainder of the access track would comprise of concrete construction.

5.3 **Layout**

5.3.1 The proposal site immediately adjoins the farmland and an existing road, Parsonage Lane and is the most efficient siting for the proposed new access as this route will bypass the hamlet of Green Tye.

5.4 **Scale**

5.4.1 The proposal at The Vineries is considered to provide a suitable level of vehicular access to the site in the context of agricultural use, including tractors and digestate tank trailers, as well as movements associated with the AD plant. The proposed new access arrangements at The Vineries can accommodate the manoeuvring requirements of the vehicles likely to utilise the access. The traffic generated by the proposal can be accommodated on the local road network without having an adverse impact on highway safety or capacity in the vicinity. There will be no increase in vehicle movements, they will simply be moved to the new and improved point of access. Hardstanding will be used to create this track, and this will be constructed of concrete.

5.5 **Landscaping**

5.5.1 There is no landscaping proposed as part of the proposal. However, the applicant is willing to accept a condition in respect of this, to include the planting of additional trees/hedgerows

5.6 **Appearance**

5.6.1 The proposal is of a typical agricultural appearance.

5.7 **Access**

5.7.1 Access is directly from the adjacent highway, Parsonage Lane,

6.0 **Summary**

6.1 There is an essential requirement for the provision of a new agricultural access track at The Vineries to allow for the safe access for the machinery servicing the AD plant and agricultural machinery.

6.2 Currently, access to The Vineries is inefficient and unsafe, given the large HGV lorries required to service the AD plant at The Vineries, along with the evolution of modern farm machinery. This is all exacerbated by the fact that such machinery shares the same road into Green Tye as the residential occupiers, which can cause significant disruption to the residential occupiers.

- 6.3 The provision of a new agricultural access track will significantly improve operations, benefiting the business financially and provide a safe, secure access for users, as well as significantly enhancing safety and amenity for residents.

