

1.0 Background.

1.1 This Planning Statement is submitted on behalf of Mr Alistair Pinkerton of Blackbirds Farm in explanation of, and justification for, the erection of cattle housing on land at Blackbirds Farm, Blackbirds Lane, Aldenham, WD25 8BS. The application is supported by drawings prepared by Bart Agriculture, numbers:-

BF-AP-001 Rev A Elevations

BF-AP-002 Rev B Cross sections

BF-AP-003 Rev A Roof Plan

BF-AP-004 Rev A Floor Plan

BF-AP-005 Rev A Site Plan and

BF-AP-006 Rev A Location Plan

Bart Agriculture have also prepared the accompanying Design and Access Statement. As the application site is less than 1 ha and the development site sits within Flood Zone 1, there is no requirement for a Flood Risk Assessment.

1.2 The land and buildings concerned are owned by HCC from whom Mr Pinkerton has already gained Landlord's consent. Notice No 1 has been served on the County Land Agent.

1.3 The physical, historical and agricultural context is set out in the accompanying DAS so this Planning Statement focuses on the planning context. I firstly set out relevant national and local policy before providing an analysis against relevant policy and other considerations.

2.0 Policy Context

2.1 National guidance is provided by the latest iteration (December 2023) of the NPPF and the presumption in favour of sustainable development. Of particular relevance to this application is Section 13 Protecting Green Belt Land which carries forward the long established position that buildings required for agriculture are not 'inappropriate' in policy terms. A full and clear explanation of the agricultural need for the proposed cattle housing has been provided by Bart Agriculture. There is therefore no requirement to demonstrate the existence of any very special circumstances.

2.2 Additionally, paragraph 88 in Section 6 Building a Strong, Competitive Economy deals with supporting a prosperous rural economy and provides support (clause (b)) for the development and diversification of agricultural and other land-based rural businesses.

2.3 Local policy is set out in The Adopted Core Strategy January 2013 and in Site Allocations and Development Management Policies adopted in November 2016. Relevant policy from the Core

Strategy includes -

CS12 The Enhancement of the Natural Environment which requires that:-

“All development proposals must conserve and enhance the natural environment of the Borough, including biodiversity, habitats, protected trees, landscape character, and sites of ecological and geological value, in order to maintain and improve environmental quality, and contribute to the objectives of the adopted Greenways Strategy and the Hertsmere Green Infrastructure Plan. Proposals should provide opportunities for habitat creation and enhancement throughout the life of a development. In the case of the highest quality agricultural land (Grades 1, 2 and 3a) and Preferred Areas of mineral extraction, proposals will only be permitted where there is no likelihood of the land being sterilised for future agriculture or mineral extraction.

CS13 The Green Belt, the relevant part of which states:-

There is a general presumption against inappropriate development within the Green Belt, as defined on the Policies Map and such development will not be permitted unless very special circumstances exist. Development proposals, including those involving previously developed land and buildings, in the Green Belt will be assessed in relation to the NPPF;

CS16 Environmental Impact of Development, relevant parts of which require

- (ii) improving water efficiency;
- (iii) incorporating use of sustainable drainage measures;
- (iv) minimising pollutants (including emissions to air, water, soil, light and noise);
- (vii) making use of energy from renewable resources; and
- (ix) ensuring compliance with policy CS12.

and

CS22 Securing a high quality and accessible environment, which requires, inter alia, that *“all development should be of high quality design, which ensures the creation of attractive and usable places”*

2.4 Relevant development management policies are considered to be -

SADM10 – Biodiversity and Habitats

SADM11– Landscape Character

SADM12 – Trees, Landscaping and Development

SADM15 - Sustainable Drainage Systems

SADM20 - Environmental Pollution and Development and

SADM26 – Development Standards in the Green Belt

2.5 Policy SADM10 states that “The acceptability of any development proposal will be assessed with regard to:

- (i) the level of impact that the development proposal would have on the ecological interest of the habitat concerned and the wider ecological network;
- (ii) the opportunity available to create, incorporate, enhance, or restore habitats or biodiversity as part of the development;
- (iii) arrangements for the future maintenance and management of the wildlife or habitat affected by the proposal;
- (iv) the detailed design of the proposal including its conformity with the Biodiversity, Trees and Landscape SPD.

2.6 Policy SADM11 - Landscape Character explains that development will be managed to help conserve, enhance and/or restore the character of the wider landscape across the borough. Individual proposals will be assessed for their impact on landscape features to ensure that they conserve or improve the prevailing landscape quality, character and condition, including as described in the Hertfordshire Landscape Character Assessments. The location and design of development and its landscaping will respect local features and take opportunities to enhance habitats and green infrastructure links. Landscaping schemes should use native species which are appropriate to the area.

2.7 Policy SADM12 states that permission will be refused for development which would result in the loss, or likely loss, of:

- (i) healthy, high quality trees subject to a Tree Preservation Order; or
- (ii) any healthy, high quality trees and/or hedgerows that make a valuable contribution to the amenity or environment of the area in which they are located.

If development is approved which would result in the removal of trees and/or hedgerows, equivalent and appropriate replacement planting will be required. All development affecting trees, hedgerows and other plants or landscaping should be consistent with the Biodiversity, Trees and Landscape SPD and BS5837 (or any subsequent guidance). This includes the requirement for appropriate landscaping schemes and, if necessary, replacement trees. Where possible, the Council will make additional Tree Preservation Orders to ensure that existing trees, or groups of trees, which are healthy and contribute to the amenity of the area, are retained and protected.

2.8 SADM15 Sustainable Drainage Systems requires that the design of new development should include sustainable drainage measures.

2.9 SADM20 Environmental Pollution and Development states that ‘development should not result in any adverse impact to public health or wellbeing, or significantly add to contamination or pollution, taking into account the situation following any mitigation and remediation measures. Development proposals will be judged against the principles below and any future Contaminated Land, Air Quality or Noise and Vibration SPD’. The only clauses potentially relevant to the proposed cattle housing are those pertaining to noise and odour. These state, with regard to noise, that development which would create increases in background noise levels should be sited away from noise-sensitive development as far as possible: in addition, noise mitigation measures should be taken to ensure there is no increase in background noise levels beyond the site boundary; and in respect of odour that development which potentially could create polluting odours should be designed with appropriate controls to ensure that there would be no odour detectable beyond the site boundary.

2.10 SADM26 Development Standards in the Green Belt states that –

The Council will assess all applications for development in the Green Belt, as defined on the Policies Map, in accordance with Core Strategy Policy CS13 and to ensure they comply with the following principles:

- (i) developments should be located as unobtrusively as possible and advantage should be taken of site contours and landscape features in order to minimise the visual impact;
- (ii) buildings should be grouped together: isolated buildings in the countryside should be avoided;
- (iii) existing open and green space in the area, including garden areas, should be retained;
- (iv) the scale, height and bulk of the development should be sympathetic to, and compatible with, its landscape setting and not be harmful to the openness of the Green Belt;
- (v) developments should use materials which are in keeping with those of the locality, and, where modern materials are acceptable, they should be unobtrusive;
- (vi) existing trees, hedgerows and other features of landscape and ecological interest should be retained and enhanced in order to enrich the character and extent of woodland in the Community Forest in line with Policy SADM12;
- (vii) the viability and management of agricultural sites should not be undermined, there also being a strong presumption against development which would fragment a farm holding.

3.0 Issues and Analysis

3.1 Having regard to the above, I consider that the key issues which fall to be considered are an assessment against the detailed criteria of policy SADM26 followed by other environmental considerations including local amenity impact.

3.2 Green Belt

3.2.1 Taking each of the relevant criteria listed in SADM26 in turn, I conclude with regard to siting (criteria (i) and (ii)) that the proposed cattle housing has been located as unobtrusively as possible having regard to the topography of the existing farm yard and adjoining land. Advantage has been taken of the site's contours to position the building at a lower level than the adjacent yard, thus enabling the ridge to align with, or sit below, other barns. This will be achieved by a cut and fill exercise to create a level surface in an area where there is currently a modest dip. The building is sited proximate to the hay and straw barn which was erected about 10 years ago on the western side of the original farm yard. Hence, in this location it will read as part of the main yard. As explained in the DAS, the land level has been chosen to ensure that machinery etc can access the site from an existing farm track which passes to the south east with minimal disturbance to that track. Additionally, in this location the cattle housing will be well placed to allow the cattle to be walked to neighbouring grass fields avoiding public footpaths.

3.2.2 The building is of a scale necessary to fulfil the purpose for which it is required, as explained in the DAS prepared by BART Agriculture. With a floor area of 966 sq m the building falls just within the size which could be erected with the benefit of Part 6 Class A permitted development rights. However, in order to fulfil the associated criteria of having a minimum distance of 400m from the curtilage of a protected building, (a protected building in this context being defined as "any permanent building which is normally occupied by people or would be so occupied, if it were in use for purposes for which it is designed") it would be necessary to site the cattle housing farther out from the existing yard. This is because not all of the cottages on the west side of Blackbirds Lane are owned or occupied in association with the farm. However, in the interest of maintaining a compact operational area and minimising landscape impact, Mr Pinkerton has decided for the time being, and dependent upon the outcome of this application, not to exercise those permitted development rights.

3.2.3 The DAS fully explains the design reason for the height of the proposed building. With a floor level set at 82m AOD this will bring the ridge in line with that of the adjacent hay and straw barn. At 8.56m to its ridge, the proposed cattle housing is 2m lower than the height of the grain store which was approved in February 2009 under ref TP/08/2027 and which occupies a higher

part of the farm yard. It is also considerably lower than the permitted development ridge height allowance of 12m. I therefore consider that the proposed development is sympathetic to, and compatible with, its landscape setting and will not be harmful to the openness of the Green Belt.

3.2.4 The chosen materials reflect those used on the external faces of other buildings within the farm yard and are typically agricultural in appearance. Installation of solar panels on the south west facing roof slope is in full accord with government policy to increase use of energy from renewable resources.

3.2.5 As explained in the DAS, care has been taken in siting the building, both to minimise its visual impact on the local landscape and to ensure that it is largely hidden from view from housing unrelated to Blackbirds Farm. Having regard to the local relief, there may be slight glimpses of the ridge line from the public right of way along Blackbirds Lane and from parts of Kemprow and High Cross, but these will be distant views only and from that distance the ridge line will look similar to, or lower than, other barns within the yard some of which (for example the grain stores) have more prominent ridge lines. From many areas the proposed cattle housing will be completely hidden behind existing buildings.

3.2.6 The chosen location means that the building will not be seen from residential development at Wall Hall. The upper part of the building may be visible from Blackbirds Cottages but it will be the narrower gabled south east elevation which will be seen rather than the longer elevations.

3.2.7 Blackbirds Farm lies within Landscape Character Area 16 Aldenham Plateau which is described as a 'frequent' (that is, common) landscape with its main distinctive feature being identified as small villages clustered around greens. The LCA states that these are significantly valued by residents for their distinctiveness. However, none of these are proximate to the farm yard and hence there will be no impact on these community valued features.

3.2.8 The strategy for managing change is to 'improve and restore'. In ecological terms, the native species hedgerow which it is proposed to plant along the rear (south west elevation) will more than compensate for the hedgerow which needs to be removed to accommodate the building. This will also assist the building to blend into its agricultural setting. The site currently comprises a horse paddock. As a consequence of quite intensive grazing it is of no ecological interest.

3.2.9 Turning to clause (vii) of SADM26, as explained in the DAS, the cattle housing is essential to

support the viability of the new, sustainable direction in which the business at Blackbirds Farm is being taken.

3.2.10 Having regard to all of the above, therefore, I conclude that the proposed cattle housing is compliant with both Adopted policy SADM26 and SADM11. A condition requiring submission and approval of a detailed planting and maintenance plan is acceptable.

3.3 Other environmental considerations including neighbouring amenity

3.3.1 The proposal has been designed to ensure that no adverse impact should be caused from any form of potential pollution. As explained in the DAS, the siting and shape of the footprint, the roof pitch and ridge height and the orientation of the proposed cattle housing are all designed to ensure a high level of air exchange within the building. The north easterly orientation of the building, together with the open ridge with a protected cover, means that the prevailing south westerlies will create a negative pressure within the building which will increase the rate of air exchange. This will enhance the welfare standards for the cattle and reduce the likelihood of odours being created.

3.3.2 In this regard it should be noted that a large cattle herd is already being accommodated within the yard at Blackbirds so this is not a new feature. Furthermore, the farm was home to a milking herd until c2004.

3.3.3 Two existing dirty water lagoons (from when the farm supported a dairy herd) with their associated drainage systems will be utilised for dirty water run-off, though with a covered building the amount of effluent should be minimised when compared with keeping cattle in an open yard. The resultant manure will be used on the farm to reduce the need for chemical fertilisers representing a far more sustainable option. All spreading operations will be undertaken within current EA guidelines.

3.3.4 I therefore conclude that the development should not result in any adverse impact to public health or wellbeing, or add to contamination or pollution, taking into account the above detailed arrangements. Accordingly, the requirements of Adopted policy SADM20 will be met.

4.0 Conclusion

- 4.1 The proposed cattle housing constitutes 'appropriate development' in terms of Green Belt policy and hence there is no requirement to demonstrate the existence of any 'very special circumstances'. That said, the DAS prepared by BART Agricultural provides a detailed justification for the building including an explanation of its design features which are intended to minimise its environmental impact. The building also adheres to current standards pertaining to animal welfare and livestock handling.
- 4.2 Siting has been carefully selected having regard to both operational requirements and landscape impact. The cattle housing will sit on lower ground than other proximate buildings, as a consequence of which its ridge will appear either similar to, or lower, than other barns within the yard. Other than possibly in some distant views, it should be largely screened from any public vantage points and when visible, it will read as an organic extension of the long established yard at Blackbirds Farm.
- 4.3 As explained in Section 3.3 above, steps have been incorporated to minimise its environmental impact which should be similar to, or better than, the impact of the existing cattle herd which is accommodated in an open yard.
- 4.4 We therefore look forward to the grant of planning permission in due course.

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