

WELWYN HATFIELD COUNCIL – DEVELOPMENT CONTROL
DELEGATED REPORT

| | |
|------------------------|------------------------|
| APPLICATION No: | S6/2009/2061/MA |
|------------------------|------------------------|

NOTATION:

The site lies within the Metropolitan Green Belt and the Northaw Common Parkland Landscape Character Area as designated in the Welwyn Hatfield District Plan 2005.

DESCRIPTION OF SITE:

The application site is roughly rectangular piece of land to the north of Colesdale Farm. The site is adjacent to a track that is designated as a public right of way, which is accessed via gate of Northaw Road East. The site access is approximately 400m from the access in Northaw Road East. Hempshill Brook runs to the east of the site and the site area partly falls within flood zone 3a to the eastern side.

The land level rises to the west and the surrounding area is generally characterised by open Green Belt and some hedges, trees and vegetation. The development has been carried out and there are various structures and items within the site, which include two containers and shed that have not been detailed within the application. To the north of the site a large area is being used to store various items including machinery, construction equipment and a caravan.

DESCRIPTION OF PROPOSAL:

The application has applied for the retention of a chicken shed. The structure has been constructed with part brick, part timber walls with a sloping felt roof. The development measures 7.5m in width by 5.1m in depth with a mono-pitched roof to a maximum height of 2.7m.

PLANNING HISTORY: None.

SUMMARY OF DEVELOPMENT PLAN POLICIES:

National Policy

PPS1: Delivering sustainable development

PPG2: Green Belts

PPG13: Transport

PPS25: Development and Flood Risk

Hertfordshire Structure Plan Review 1991 – 2011:

None.

Welwyn Hatfield District Plan 2005:

SD1: Sustainable Development

GBSP1: Definition of Green Belt

RA10: Landscape Character Areas

R3: Energy Efficiency

R5: Waste Management

M14: Parking standards for new developments

D1: Quality of design
D2: Character and context
D5: Design for movement
D7: Safety by Design
D8: Landscaping
D9: Access and Design for people with disabilities
Welwyn Hatfield District Plan, Supplementary Design Guidance, February 2005
Welwyn Hatfield District Plan, Supplementary Planning Guidance, Parking Standards, January 2004

CONSULTATIONS

The Environment Agency – No response received.

NORTHAW & CUFFLEY PARISH COUNCIL COMMENTS

Comments stated that the Parish Council have concerns on this particular application, it is rather large. What happens to the chickens? Is there slaughter on site? If permission is granted the activity should be closely monitored.

REPRESENTATIONS

This application has been advertised by neighbour notification letters and a site notice and no representations have been received. Period expired 17 August 2010.

DISCUSSION:

The main issues are:

- 1. The development's impact upon the character and appearance of the locality**
- 2. The development's impact upon the openness of the Green Belt and compliance with Green Belt policy**
- 3. Flood Risk**
- 4. Other Material Planning Considerations**

1. The application site contains a chicken shed, two shipping containers, a shed and several items which are stored externally on land within an enclosed area. The application has only made reference to the chicken shed, however, the additional structures and use of the land for storage are also considered to require planning consent.

The structures have been placed on what previously would have been open Green Belt land. The development is noticeable and appears prominent, which is not in keeping with the rural and open character of the locality. The chicken shed is a large structure and from the adjacent footpath does not have an agricultural or rural appearance. Due to the untidy and developed appearance of the site, it appears urbanised and unattractive from the surroundings. The appearance of the site is worsened by the adjacent fencing, palisade gates and various items that are stored on open land.

The chicken shed and other additions to the site do not have an acceptable quality of design and affect the character and appearance of the locality. Therefore, the development fails to meet the requirements of Policies D1 and D2 of the Welwyn Hatfield District Plan 2005.

2. The chicken shed, associated development and additional items within the site have a clear detrimental impact upon the open and rural character of the area and this has been addressed within section 1 of the report.

PPG 2 states the general policies controlling development in the countryside apply with equal force in Green Belts but there is, in addition, a general presumption against inappropriate development within them. Such development should not be approved, except in very special circumstances.

There are five allowances within PPG2 for development that is not considered inappropriate. However, the proposal is not considered to fall within any of these requirements. The application site does not form an agricultural holding and is not connected to Colesdale Farm, which is some distance from the site forms a separate unit.

Discussions with the applicant established that the chickens are kept as a hobby and not for meat. Although it was stated that some of the eggs are sold within a shop that the applicant owns, it was made clear that they were not kept as part of a business. No information has been submitted with the application to demonstrate that the site is being used for agricultural purposes and therefore the development is not considered to be appropriate.

Inappropriate development is, by definition, harmful to the Green Belt. It is for the applicant to show why permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. In view of the presumption against inappropriate development, the

No very special circumstances have been put forward and it is not apparent that any existing. In the absence of any very special circumstances the development cannot comply with the requirements of PPG2.

The development has an adverse impact upon the character and appearance of the locality. The untidy site is not in keeping with the rural character of the area and it disrupts views across the surrounding open land. The development is easily viewed from neighbouring land and an adjacent public right of way. The site as existing has an adverse impact upon the Northaw Common Parkland Landscape Character Area and does not comply with Policy RA10 of the Welwyn Hatfield District Plan 2005.

3. The Environment Agency has responded stating that the 'Standing Advice' should be used for the Local Planning Authority to make an assessment of the proposal's flood risk. However, the site is large than a hectare and required a flood risk, which are usually assess by the Environment Agency.

The application has been submitted with basic information entitled flood risk assessment. This statement notes that the proposal would be non-residential and comprise an area of less than 20sq.m. The applicant considers the site would be less vulnerable as they state the site would be used for agriculture and the compartments for the chickens would be approximately 1.0m above the floor level.

Considering the site does not include residential development and the development has been carried out for development, which has raised levels within the chicken shed, the development is not considered to be at an adverse risk of being affected by flooding. Although the development is not considered to comprise agriculture, the sites use would have a similar level or vulnerability when considered against PPS25.

The applications site is surrounded by soft landscaping which allows natural drainage. The existing structures would not significantly alter the existing rainwater drainage on and surrounding the site, therefore, the development would not create a significant additional flood risk. When assessing PPS25 development within the less vulnerable category can be appropriate within Flood 3a. When considering the provisions that have been made to allow the chickens sit above ground level in the case of a flood.

The development therefore would not result in a significant flood risk and would not be too vulnerable of being adversely affected by flooding within the area. The proposed development sufficiently meet the requirements of PPS25.

4. The application has been submitted with a sustainability checklist which notes the hydrology of the site has been protected by the use of permeable areas and the surrounding trees and vegetation have been retained. Considering the development has been carried out, these provisions are considered to be a reasonable effort to meet the requirements of Policies SD1 and R3 of the Welwyn Hatfield District Plan 2005.

CONCLUSION:

The chicken shed and other development that has been carried out within the application site is considered to have an adverse impact upon the character and appearance of the locality and the openness of the Metropolitan Green Belt. The development is not considered to form an agricultural unit and is not appropriate development as defined within PPG2. The application has not put forward any very special circumstances and therefore is not considered to be acceptable.

RECOMMENDATION: REFUSAL AND REASONS

The development is considered to be inappropriate development as defined within PPG2 and has an adverse urbanising impact upon the open and rural character of the Metropolitan Green Belt. The development has an unacceptable impact upon the character and appearance of the locality and the surrounding landscape character area. The site is not considered to form an agricultural unit and the site does not have any connection with an agricultural use. The applicant has advanced no very special circumstances to justify this inappropriate form of development and therefore the harm by reason of inappropriateness, is not clearly outweighed by other considerations. The proposal is therefore contrary to PPG2 and Policies GBSP2, RA10, D1 and D2 of the Welwyn Hatfield District Plan, 2005.

INFORMATIVES: None.

DRAWING NUMBERS:

Site Location Plan 1:2500 & A3 0106/01 & A3 0106/02 & A3 0106/03 & Roof Plan 1:50 received and dated 28 October 2009.

Signature of author..... Date.....