

HAMPSHIRE COUNTY COUNCIL

Decision Report

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| Decision Maker: | Regulatory Committee |
| Date: | 24 November 2010 |
| Title: | Additional farm buildings and structures for agricultural use at Hazeley Farm, Hazeley Heath, Hook RG27 8NA (Application No:10/02022/HCCRG3) (Site Ref: HRG001) |
| Reference: | 2325 |
| Report From: | Head of Planning and Development |

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1. Executive Summary

- 1.1. The proposal is for additional farm buildings and structures for agricultural use at Hazeley Farm, Hazeley Heath, Hook.
- 1.2. The issues are impact of these proposals in terms of landscape and visual impact (including setting of listed building), impact on Hazeley Heath Site of Special Scientific Interest (SSSI) (part of Special Protection Area [SPA]), and the amenity impact for neighbouring residents and the public house.
- 1.3. It is considered that the proposal would be in accordance with the development plan Hart District Local Plan 1996-2006 (summary attached) as it would not materially harm the character of the countryside area in accordance with policy RUR1 iii, iv (Definition of areas covered) and RUR3 (Development in open countryside control). The amenity of the local residents would be protected (GEN1 [General Policy for Development and Change of Use]) and the integrity of the adjacent listed building not compromised (CON16 [Listed Building Setting]). It would be acceptable in terms of highway safety and convenience. The proposal would offer necessary animal welfare improvements and is acceptable under RUR11 (Agricultural Development).

2. Site and proposal

- 2.1. The application site, as shown on the attached plan, is 1.8 hectares of the Hazeley Farm farmyard. Hazeley Farm is part of the Hampshire County Council's County Farm Estate covering a total area of 61.5 hectares. The farm is situated between Hazeley (on the B3011) to the east and Mattingley

(via the B3349) to the west and is part of the larger Mattingley Farm Estate, covering approximately 150 hectares.

- 2.2. Hazeley Farm is a dairy farm let on an agricultural business lease. To operate Hazeley Farm as a viable dairy business it is stated 120 milking cows are the optimum number, with approximately 140 on the holding at all times.
- 2.3. The nearest houses are Twin Oaks and Yew Tree Cottage, a Grade II Listed building, about 30 metres from the south-east site boundary, and Westleigh about 20 metres to the north-west. The gardens of these properties adjoin the site. The Shoulder of Mutton public house is approximately 60 metres to the north-east. The farm buildings are accessed from Red Hill Road, immediately to the south of the public house.
- 2.4. The site slopes gently to the west and is within 0.6 kilometres of an Environment Agency flood zone 3. Hazeley Heath, which is designated as a SSSI part of Thames Basin Heath Special Protection Area, is about 50 metres east of the site.
- 2.5. The nearest public footpath can be found approximately one kilometre to the north-east and is known as Mattingley 24. Footpaths numbered 25 and 20 are both within 2.5 kilometres to the north and south-east respectively. Approximately 0.6 kilometres to the east is Bramshill Park. This is identified as an English Heritage Historical Park. A Grade II listed historic building known as the Barn north-east of Pilcot Farmhouse is some 130 metres to the north-east.
- 2.6. Hazeley Farm forms part of the Mattingley Farms estate which has been in the ownership of Hampshire County Council since 1919. On 23 November 1995, the farm benefited from planning permission (95/00839/HCCRG3) for the erection of a 22.86 metre by 15.24 metre steel-framed general purpose building. An extension to the farmhouse, including demolition of a single storey lean-to, was refused on 27 March 2006 (05/02647/CMA). The reason given for this was "The proposal is contrary to Policy CON16 of Hart District Local Plan (Replacement) 1996-2006, as the development will have a significant adverse impact to the setting of a Listed Building (Yew Tree Cottage)". Subsequent to this, a small extension was built under permitted development rights.
- 2.7. The proposals are intended to update the existing operations to meet current farming and environmental standards and to sustain the economic viability of the business. A letter from the veterinary surgeon for the animals on the farm accompanies the application and identifies the deficiencies in the current facilities and considers the proposals will benefit the health and welfare of the stock. The letter details the current lack of sufficient cow cubicles (should be at least one cubicle per cow, there are currently only 88), substandard size of cow cubicles, lack of dry cow winter accommodation, outside feeding area, bull pen and a larger capacity silage clamp.

- 2.8. An additional silage clamp, to be used for silage and feed for the dairy cattle and young stock on the farm, is proposed in the north-west corner of the farm complex. The proposed clamp would be 20 x 20 metres, with three metre high Rockwall concrete panels on three sides and a 16 metre dividing wall with an open front. There will be a concrete apron, approximately 178 square metres, at the front of the clamp, including a concrete access road extended to meet the existing concrete surface. A galvanized safety guide rail will be positioned around the clamp between one and 1.2 metres above the height of the walls.
- 2.9. It is proposed to install a new Doda Screw Press slurry separator system, with an 8 metre x 8 metre x 2.5 metre deep reception pit with a capacity of 160 cubic metres (which is more than adequate to accept two days' farm production). This would manage all the dirty run-off water and cow dung scraped from the cattle yards, as well as parlour and dairy washings. It would separate out solids into storage within a trailer on the six metre x six metre x two metre high compound adjacent to the separator. Ten tonnes would then be taken out onto fields for spreading or further storage. All resultant dirty water/slurry will be piped to slurry holding chambers for settlement before being pumped out onto fields using the existing low-rate irrigation system.
- 2.10. To complement this system a new slurry storage tank is proposed, using an Agri-tank (type N5000/37 + 1B/2 circular) with a base diameter of 25.92 metres. There would be a side panel height of five metres but with an allowance for two metres to be placed below ground level. This would only leave three metres above existing ground level. The sealed tank will have capacity of 2,464 cubic metres.
- 2.11. The proposed new buildings will cover an area of approximately 1,183 square metres and be built in materials and colours to match the existing modern farm buildings. The existing cattle shed, covering some 126 square metres, will be removed. The existing buildings to be retained cover an area of 978 square metres. Rainwater will be collected from roofs in galvanised box section gutters and discharged through drains to underground soakaways or ditches.
- 2.12. Another part of the current proposals is to construct a purpose-built housing area for a bull. This entails a roofed-over lying area of approximately 15 square metres, comprising a steel-frame with reinforced concrete panel walls and fibre cement roof sheeting, together with an open exercise area and a cow service pen enclosed by vertical galvanized railings approximately two metres high.
- 2.13. It is proposed to remove approximately 38 metres of the existing hedgerow along the northern edge of the site to allow the construction of the new silage clamp. In mitigation, there would be new hedgerow and screen planting. This would extend 85 metres to the south-west of the proposed barn extension and straw store building and some 70 metres into the

south-eastern corner of the farmyard, close to the rear boundary with Yew Tree Cottage.

- 2.14. The construction works associated with the proposal would take place during the normal working day, but with no Sunday or bank holiday working. The construction period for the entire scheme would be spread over a few years. However, the most pressing works for the silage clamp and cattle waste management would be a priority.

3. Development plan

- 3.1. Hart District Local Plan 1996-2006 policies are most relevant:
- (i) GEN1 (General Policy for Development and Change of Use);
 - (ii) RUR1 (Definition of areas covered);
 - (iii) RUR3 (Development in open countryside control);
 - (iv) RUR11 (Agricultural Development); and
 - (v) CON16 (Listed Building Setting).

4. Consultations

- 4.1. **Councillor Simpson** has been informed and chaired a stakeholder meeting on 15 October 2010.
- 4.2. **Hart District Council** raises no objection subject to conditions concerning materials, landscaping and restricting the use to agricultural purposes only.
- 4.3. **Hart District Council Environmental Health Officer** raises no objection.
- 4.4. **Environment Agency** raises no objection.
- 4.5. **Natural England** comments that site is close to Hazeley Heath SSSI which forms part of Thames Basin Heaths SPA, and consider that the proposal would not be likely to have a significant effect on this site and raise no objection.
- 4.6. **Highway Authority** raises no objection subject to conditions to prevent mud being deposited on the road.
- 4.7. **Mattingley Parish Council** comments that it 'supports the elements of this application that may improve the running, efficiency and cleanliness of the farm. However, the Parish Council considers that on balance the proposed increase in the size of the herd from its approximate 85 cows in milk to 120 will more than outweigh the benefits that may come about from this application. The Parish Council is aware that there are ongoing problems for the residents of the nearby dwellings and the public house. The

problems affect their quality of life. With the sites close proximity to the dwellings and the public house the farm cannot expand without impacting further on its neighbours through general disturbance, noise, odours and dust and therefore is contrary to local plan policies GEN1 and RUR2. Should this application be granted the Parish council requests that conditions are applied that limit the size of the herd. As it was said at a recent meeting the farm was not a viable unit unless it had a herd of 135 cattle. The Parish Council would also request that the equipment and proposals for dealing with the waste should not operate later than 8:00 pm or before 7:00 am as the 66 decibels generated by the pump, together with other noises generated at the farm, will impact further on local residents.'

5. Representations

- 5.1. A letter of support has been received from an individual and also letters of support received from the National Farmers Union and the Country Land and Business Association.
- 5.2. One letter of objection from a local resident received on grounds of visual impact of proposed concrete storage tank.
- 5.3. Two letters of objection received from neighbours on the following grounds:
 - (i) all this new building for the housing of additional cattle will cause significant detrimental impact on the amenities of the nearby residential properties due to unacceptable increases in levels of odour, noise and flies. As such the development is considered to conflict with adopted Local Plan policies and Government Guidance;
 - (ii) the height and siting of the proposed new buildings will result in new development having an unacceptably dominant visual impact and having more than a little adverse impact on the character, appearance and amenities of the locality, which is within a Landscape Character Area and borders Hazeley Heath (SSSI and SPA). As such the proposed new buildings are contrary to adopted Local Plan policies and government guidance;
 - (iii) reservations as to whether there is an overriding agricultural need for the proposed buildings unless the aim is to significantly increase the production capacity of the farm. Consequently building is contrary to adopted Local Plan policies;
 - (iv) the new additional barns and roof areas show this application is not just a modernisation of the farm as stated, it is a huge increase in the capacity of the farm;
 - (v) the large number of extra cattle cubicles on top of what is already there and will remain indicating an intention to expand the production capacity of this farm;

- (vi) the construction of a new silage clamp which expands the silage storage by about 100% confirms supposition that the farm is going to expand; and
 - (vii) this farm has serious location problems as hemmed in by high tension cables so cannot expand to the west, neighbours long gardens prevent expansion to the south, public house and three houses prevent expansion north, Redhill Road prevents expansion to the east, farm buildings are on low ground which tends to flood making it impossible to keep farm clean and very busy, dangerous and narrow access roads for silage vehicles. The result is this crammed in development which is going to cause only more distress to the farms neighbours due to odours, noise and traffic movements.
- 5.4. There was a stakeholder meeting held on 15 October chaired by Councillor Simpson and attended by the applicant, representative of the Parish Council and neighbouring residents from Yew Tree Cottage, Twin Oaks and the public house. The purpose of the meeting was for information and clarification, following receipt of the letters of objection. Following the meeting additional information was received concerning the waste disposal system and generator.

6. Site visit

- 6.1. Fourteen Members of the Committee, Councillors Allgood, Bailey, Beagley, Cooper, Gurden, Hockley, Joy, Neal, Pearce, Price, Simpson, Wall and Wheale with Councillor McIntosh in the Chair, undertook a site visit on 11 October to view the site.
- 6.2. Members were able to tour the site and be shown where the new buildings were proposed to be built, as well as which current buildings would be improved. It was confirmed that there was a cottage and houses to the right of the farm and a public house to the left. Objections had been received from some residents relating to proximity and smell from the farm.
- 6.3. Proposals included extending the shed at the rear of the farm and adding additional buildings either side. Additional drainage works would also be installed at the rear to improve drainage from the farm.
- 6.4. The Development Control Manager pointed out the power lines at the rear of the farm and confirmed that buildings would not be constructed to run under or past the lines.
- 6.5. Members requested that pictures showing 3D images of the buildings proposed, compared to those currently there, be included in the final report.

7. Commentary

- 7.1. The proposal is for new agricultural buildings and improvements to modernise the farm and meet animal welfare requirements. The proposals are supported by the veterinary surgeon for the animals on the farm. There would be clear benefits for the operation of the farm in terms of efficiency and animal welfare, the main issue is the amenity impact for neighbours as the farmyard is close to houses and a public house.
- 7.2. The proposals are within the existing farmyard complex. Whilst there would be an increase in the covered/enclosed area the proposed buildings will not be higher than existing buildings and the materials will be similar to existing. Consequently it is not considered that the proposal would be visually intrusive and would not have an adverse impact on the local landscape character. Similarly whilst there are listed buildings nearby, including Yew Tree Cottage next door, the visual impact would be very limited and not affect the visual setting of these buildings. In addition there would be additional landscape planting as part of these proposals.
- 7.3. Hazeley Heath SSSI, which is part of Thames Basin Heaths SPA, is close to the site but the proposals are unlikely to have a significant impact and Natural England raises no objection.
- 7.4. The main issue is the potential amenity impact in terms of smell, noise and flies for local residents as there are houses close to the farmyard. The Parish Council comments and the representations in objection (confirmed by comments at the stakeholder meeting) refer to past problems and conflict with previous farmer's management in terms of smell, noise and flies. Also accept the current farmers need for improvements to the farm to address these problems. The main benefits in these proposals in terms of impact on amenity would be improved waste management for the farmyard, and the additional covering with the buildings and canopies will also help to manage drainage and manure. Therefore improving the situation in terms of odour in particular. However their concern is that the extent of the proposed building and other works will allow an intensification in the use, increasing the number of cows, and lead to increased problems of smell, noise and flies which will negate the amenity benefits of the improvements.
- 7.5. On balance it is considered that this modernisation and improvement would enable the farmyard to be used more efficiently and cleaner reducing the adverse amenity impacts as well as the needed improvements for animal husbandry. Clearly there are houses and the public house nearby which will still be affected by the farming activities, but following the implementation of these proposals it is considered the situation would be improved and on balance proposals recommended for approval.
- 7.6. In conclusion it is considered that the proposal would be in accordance with the development plan Hart District Local Plan 1996-2006 (summary attached) as it would not materially harm the character of the countryside

area in accordance with policy RUR1 iii, iv (Definition of areas covered) and RUR3 (Development in open countryside control). The amenity of the local residents would be protected (GEN1 [General Policy for Development and Change of Use]) and the integrity of the adjacent listed building not compromised (CON16 [Listed Building Setting]). It would be acceptable in terms of highway safety and convenience. The proposal would offer necessary animal welfare improvements and is acceptable under RUR11 (Agricultural Development).

8. Recommendation

- 8.1. That planning permission for additional farm buildings and structures for agricultural use at Hazeley Farm, Hazeley Heath, Hook RG27 8NA (Application No:10/02022/HCCRG3) be granted subject to the planning conditions in Integral Appendix B.

Links to the Corporate Strategy

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| Hampshire safer and more secure for all: | no |
| Corporate Improvement plan link number (if appropriate): | |
| Maximising well-being: | yes |
| Corporate Improvement plan link number (if appropriate): | |
| Enhancing our quality of place: | yes |
| Corporate Improvement plan link number (if appropriate): | |

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

Document

Location

Additional farm buildings and structures for agricultural use at Hazeley Farm, Hazeley Heath, Hook RG27 8NA (Application No:10/02022/HCCRG3) (Site Ref: HRG001)

Planning and Development Environment Department
Elizabeth II Court West
The Castle
Winchester

CONDITIONS

Time Limits

1. The development hereby permitted shall be begun before the expiration of three years from the date on which this planning permission was granted.

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.

Restriction on use

2. The building shall be used for agricultural purposes only and shall be removed and the land reinstated to its former condition if at any time it ceases to be used for this purpose.

Reason: To prevent the introduction of an undesirable use in this rural area and to satisfy the requirements of policies GEN1 and RUR2 of the Hart District local Plan.

Hours of Working

3. No work relating to the construction of the development approved, including works of preparation prior to operations, the delivery of construction materials, skips or machinery, nor the removal of waste materials, shall take place before the 0800 or after 1800 Monday to Friday inclusive, before 0800 or after 1400 on Saturday and not at all on Sunday or recognised public holidays, unless otherwise agreed beforehand in writing with the Local Planning Authority.

Reason: To protect the amenities of occupiers of nearby properties.

Materials

4. The external materials to be used shall match as closely as possible in type, colour and texture to those on the existing buildings.

Reason: To secure a satisfactory development.

Landscaping

5. The approved landscape works shall be carried out in the first planting seasons following the use of the buildings or the completion of the development, whichever is the sooner. Any plants or trees which, within a period of five years from the date of planting, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To improve the appearance of the site in the interests of visual amenity.

Highways

6. Details of measures to be taken to prevent mud from vehicles leaving the site during construction works being deposited on the public highway shall be submitted to and approved by the Local Planning Authority in writing and fully implemented before the development commences. Such measures shall be retained for the duration of the construction period.

Reason: In the interests of highway safety.

*Annexe to Reasons for Conditions
(as required by Article 22 of the Town and Country Planning
(General Procedure) Order 1995 – as amended)*

HART DISTRICT LOCAL PLAN

General Policy for Development and Change of Use

Policy Gen 1

Proposals for development which accord with other proposals of this plan will be permitted where they:

- (i) are in keeping with the local character by virtue of their scale, design, massing, height, prominence, materials, layout, landscaping, siting and density;
- (ii) avoid any material loss of amenity to existing and adjoining residential, commercial, recreational, agricultural or forestry uses, by virtue of noise, disturbance, noxious fumes, dust, pollution or traffic generation;
- (iii) cause no material loss of amenity to adjoining residential uses, through loss of privacy, overlooking or the creation of shared facilities;
- (iv) do not constitute ribbon or sporadic development, unrelated to existing patterns of settlement within the District;
- (v) include provision for the conservation or enhancement of the District's landscape, ecology and historic heritage and natural resources;
- (vi) where the public would reasonably expect to use the building, provide suitable access for people with impaired mobility, including those confined to wheelchairs;
- (vii) have adequate arrangements on site for access, servicing or parking of vehicles;
- (viii) do not give rise to traffic flows on the surrounding road network, which would cause material detriment to the amenities of nearby properties and settlements or to highway safety;
- (ix) do not create the need for highway improvements which would be detrimental to the character and setting of roads within conservation areas or rural lanes in the District;
- (x) do not lead to problems further afield by causing heavy traffic to pass through residential areas or settlements, or use unsuitable roads;

- (xi) include provision for any necessary improvements to infrastructure and utilities resulting from the development;
- (xii) take account of the proximity of overhead cables and power lines;
- (xiii) avoid the installation of lighting, which is visually damaging to the character of the area.

Setting of Listed Buildings

Policy CON 16

Development which would have a material adverse impact on the setting of a Listed Building will not be permitted.

The Rural Economy and the Countryside

Policy RUR 1

The policies in this section of the plan apply to the rural settlements of Hazeley and to the open countryside.

Policy RUR 2

Development in the open countryside, outside the defined settlement boundaries, will not be permitted unless the local planning authority is satisfied that it is specifically provided for by other policies in the Local Plan and that it does not have a significant detrimental effect on the character and setting of the countryside by virtue of its siting, size and prominence in the landscape.

Policy RUR 3

Developments in the countryside which are provided for by other policies in this plan, will be permitted where:

- (i) the countryside is protected and maintained through the retention, creation or enhancement of features of nature conservation or landscape importance;
- (ii) any existing buildings or structures can be retained if of architectural quality;
- (iii) the site is satisfactorily landscaped to reduce its impact on the surrounding countryside;
- (iv) the criteria of the specific policy by which the development proposed may be permitted are also met.

Agricultural development

Policy RUR 11

Planning permission will be granted for development necessary for the purposes of agriculture, where the criteria of Policy RUR 3 are met.