

# DELEGATED DECISION REPORT

## APPLICATION NUMBER 211936

Broadfield Court Farm, Bowley Lane, Bodenham, Hereford, HR1 3LG

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**CASE OFFICER: Mr Ollie Jones**

**Relevant Development Plan Policies:**      **Town and Country Planning (General Permitted Development)(England) Order 2015 Schedule 2 Part 6**

### Site Description

The application relates to sites within and around Lower Broadfield; part of the Broadfield Court Estate located 1 ¼ mile to the north of Bodenham village and to the east of the minor road known as Bowley Lane which connects the A417 in the south to the A44 in the north via Risbury and Stoke Prior.

### Proposal

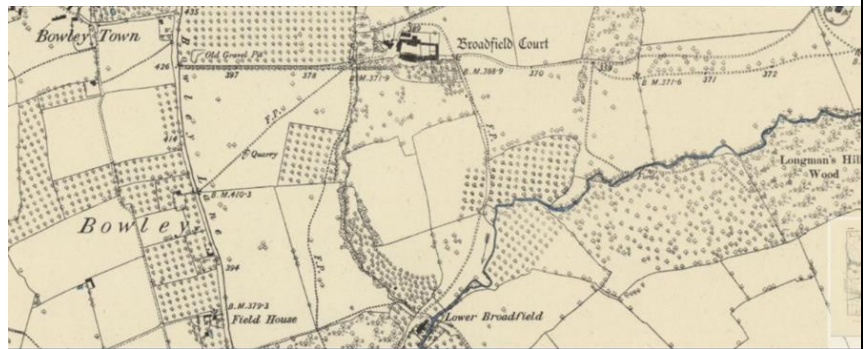
This is an agricultural prior notification application submitted in accordance with the provisions of Schedule 2, Part 6 of the Town and Country Planning (General Permitted Development) Order 2015 (GPDO) and relates to the formation of access tracks to agricultural land. The proposal includes the provision of new tracks for agricultural and forestry purposes and the upgrading of existing tracks within the Broadfield Estate. The Local Planning Authority determined that the prior approval of the siting of the tracks is required in order to assess the proposals impact on the setting of nearby heritage assets. The applicant has submitted a heritage statement and officer's must now consider whether the details are acceptable, and hence whether to give approval or refuse the application.

### Consultations

<u>Building Conservation</u>	<p>The application site covers several parcels of land in and around Broadfield Court and Lower Broadfield, and relates to existing trackways within these areas. The proposed work is to upgrade these existing tracks on a general like-for-like basis to allow for improved vehicular access. It is felt the application would result in no harm to the significance of any of the designated heritage assets within the immediate area of the proposed work, including any contribution made by their settings. As such the application accords with all relevant local and national policy and no objection is raised on heritage grounds.</p> <p>Comment:</p>
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There are several heritage assets which have to the potential to be impacted by the proposed works.

Broadfield Court is a large complex of buildings, several of which are individually listed as heritage assets. These include Broadfield Court grade II\*, Cider Mill, Granary and Hop Kiln adj. Broadfield Court to the East, Barn 20 yards N, and Barn and adj. Shelter shed 30 yards N-E of Broadfield Court, all grade II listed. Approx. 500m south of Broadfield Court is Lower Broadfield, also grade II listed. The land immediately surrounding is also an unregistered park and garden.



1st Ed. OS map published 1885 showing Broadfield Court and Lower Broadfield. Tracks 3b, 3c and 4a are visible also, source: <https://maps.nls.uk/view/101569401>

Broadfield Court is a large country house with origins in the C14, which has been substantially altered and extended in subsequent centuries. The house forms part of the southern range of a large, rectilinear courtyard of vernacular farm buildings dating to the late C16/C17, which are also listed. Its wider setting is characterised by the rural park land and forests which compromise its former estate and are now recognised as an unregistered park and garden.

Its significance of the this group of heritage assets lies in surviving historic fabric, architectural and historic value as a fine example of a large vernacular farm and wider estate which has been adapted to the tastes and fashion of several generations. It's rural and isolated setting makes a strong contribution to this significance.

The tracks identified in this application are already existing, and can be identified on historic mapping (above). As such the application would not result in any additional new tracks in the immediate settings of the heritage assets. The proposed upgrading works are to be done on a general "like-for-like" basis in terms of materials and surface finish and are not

	proposing to alter the appearance or the character of the tracks in any way. As such it is felt the settings of the identified heritage assets would remain unchanged.
<u>Site Notice</u>	Two comments received, summarised as follows; - <ul style="list-style-type: none"> <li>➤ Impact the tracks will have on designated heritage assets including Lower Broadfield in the south</li> <li>➤ Impact on wildlife</li> </ul>

### Permitted development rights

The proposals accord with the requirements set out in A.1 (a) - (k) of Part 6, Class A 'Development on units 5 hectares or more' (Agricultural Building and Operations) of the General Permitted Development Order 2015 (as amended) and E.1 (a) - (d) of Part 6, Class E 'Development on units 5 hectares or more' (forestry developments) of the General Permitted Development Order 2015 (as amended) and are therefore considered permitted development subject to conditions insofar that the LPA must make a determination as to whether prior approval will be required for their siting, design and external appearance.

### Siting, design and appearance

The Council's Core Strategy policies SD1, LD1 and LD4 expect development to be well sited in and appropriate in scale and design, avoiding any unjustified harm to the historic environment.

In this case officers were initially concerned that the development might result in harm to the setting of nearby designated heritage assets including the Grade II\* listed Broadfield Court together with the Cider Mill, Granary and Hop Kiln, Broadfield Court and Shelter all of which are Grade II listed. Much of the proposal is to upgrade existing tracks whereas those to be newly created would be located within coppiced/woodland and would largely be discreet. The tracks would be stoned and therefore the design would be appropriate within the rural location – a key contributor to the setting of the group of buildings. On balance, the proposed tracks are considered acceptable in terms of their impact on the setting of the aforementioned designated heritage assets.

In longer-distance views from the south the developments would be less prominent and would read as part of the wider patchwork of agricultural land that already benefit from agricultural tracks siding woodlands and hedgerow boundaries.

### Ecology

In considering siting the local planning authority must also take into account any impact on sites of ecological value. The tracks are largely existing and the local planning authority would remind the application of their legal duty in respect of protected species (informative 1 refers).

### Conclusion

The proposal accords with the stipulations of the GPDO, and on balance, with the tracks generally upgrading existing networks within the unit and constructed from sympathetic surfacing, it should not

unduly affect the setting of identified heritage assets or the wider attractive landscape character. It is therefore recommended that prior approval is granted.

**RECOMMENDATION: PRIOR APPROVAL APPROVED**

## **CONDITIONS**

1. The development shall be carried out within 5 years beginning with the date of this approval.
2. The development shall be carried out in accordance with the details submitted with the notification – received 13 May 2021.
3. Where the development relates to the erection, extension or alteration of a building, the developer shall notify the local planning authority, in writing and within 7 days, of the date on which the development was substantially completed.
4. Where the development consists of works for the erection, significant extension or significant alteration of a building and
  - a. the use of the building or extension for the purposes of agriculture within the unit permanently ceases within 10 years from the date on which the development was substantially completed, and
  - b. planning permission has not been granted authorising development for purposes other than agriculture within 3 years of the permanent cessation of its agricultural use, and there is no outstanding appeal,then, unless the local planning authority has otherwise agreed in writing the building or extension must be removed and the land must, so far as practicable, be restored to its former condition or such condition as may have been agreed in writing with the local planning authority.
5. The development shall be used solely for agricultural purposes, as defined in Section 336(1) of the Town and Country Planning Act, 1990, or for forestry purposes and for no other purposes whatsoever.

## **Informatives**

1. The Authority would advise the applicant (and their contractors) that they have a legal Duty of Care as regards wildlife protection. The majority of UK wildlife is subject to some level of legal protection through the Wildlife & Countryside Act (1981 as amended), with enhanced protection for special “protected species” such as all Bat species, Great Crested Newts, Otters, Dormice, Crayfish and reptile species that are present and widespread across the County. All nesting birds are legally protected from disturbance at any time of the year. Care should be taken to plan work and at all times of the year undertake the necessary precautionary checks and develop relevant working methods prior to work commencing. If in any doubt it advised that advice from a local professional ecology consultant is obtained.

Signed:  Dated: 23 August 2021

**TEAM LEADER'S COMMENTS:****DECISION:****PERMIT**☒**REFUSE**☐

Signed:

AB.

Dated: 27/8/2021

Is any redaction required before publication? No