

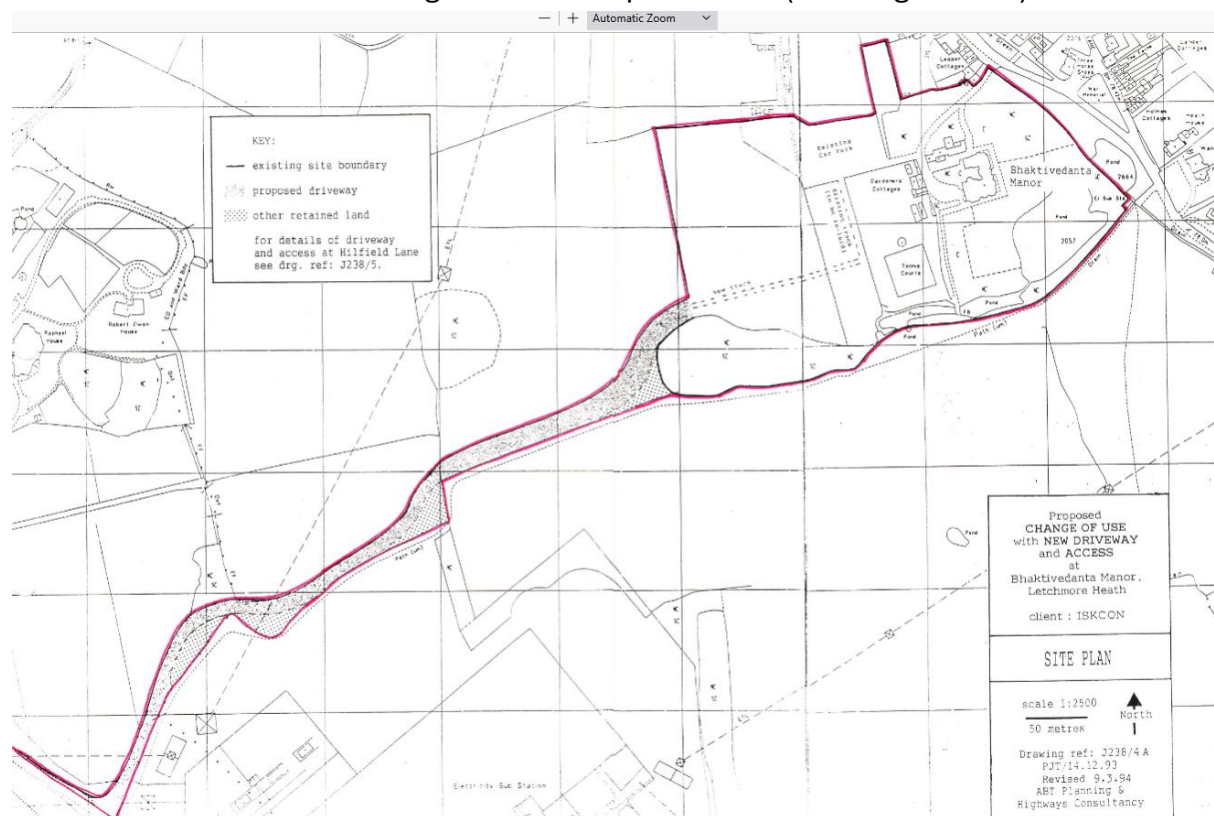
**25/0124/FUL | Re-use and extension of buildings for accommodation (sui generis) related to the WWOOFers - (World Wide Opportunities on Organic Farms) Volunteers. | Holland Farm Hilfield Lane Aldenham Watford Hertfordshire WD25 8DJ**

Letchmore Heath Village Trust ( The Trust) strongly objects to this application [ currently having to be considered without sight of the non-filed Design and Access Statement and part 3 of the Drainage Strategy which is corrupted on the portal]

The applicant maintains that this proposal is allowed within the Green Belt, under NPPF exceptions, failing which very special circumstances exist so as to allow this in the Green Belt. Both of these are incorrect, but before turning to these some background on the complex planning situation is required.

**AUTHORISED EXISTING PLANNING USE OF THE APPLICATION SITE**

The entirety of the applicant's estate has been acquired piecemeal. The original acquisition in 1973 was 17 acres to include Bhaktivedanta Manor itself. In 1995 this was added to by the acquisition of a strip of land having a frontage to Hilfield Lane. Those two areas are shown edged red on the plan below.( the Original Site)



**Picture 1 – Original Site**

In May 1996 following a Public Inquiry and a “ call in “ by the Secretary of State planning permission was granted for use of the Original Site as a residential and non -residential

theological college and religious community, together with use for public worship (including the observance of religious festival days) and the construction of a new driveway and access to Hilfield Lane, subject to conditions.(APP/N1920/A/94/241083)

This use extends only to the Original Site. Subsequently the applicant acquired adjoining farm land, including the application site, bringing over 70 more acres into its ownership but this has no planning use for religious purposes. It is just a farm.

With regard to the application site there is no authorised use other than as agricultural with a number of previous planning permissions for polytunnels. Certainly there is no authorised use for any part to be used as accommodation, the only relevant application being 24/0731/FUL which is a retrospective application (following enforcement) for temporary permission for 2x containers for residential use which has not been determined; whilst the planning statement accompanying that application states “The previous static caravans on the site have been replaced with containers,” those previous static caravans were also not authorised for planning purposes. The planning history shows that the only caravans ever authorised on this site were ancillary to a livery business, long since ceased. In summary the authorised use of the application site is agricultural with whatever barns etc were built, prior to the introduction of planning control in and various polytunnels. This is the baseline from which this application must be considered.

### **GREEN BELT**

The applicant states that the proposals re-use and extend existing buildings which is allowed within the Green Belt. In fact it is difficult to work out from the application the extent to which the works go beyond mere repair and extension and actually amount to rebuilding. The planning statement itself refers to “significant repair and rebuilding. “ and also that “some parts of the existing buildings will be demolished and new parts built to link them together as a whole” Irrespective of this there is certainly considerable new built form/ non-agricultural form being proposed including

- A substantial tarmacked car park to provide 6 parking spaces including a large tarmacked area between these
- A waste /bin area 7.3m high, 14m wide and 3.5 m deep, enclosed
- Soft (non-agricultural) landscape area
- A yoga terrace
- Cycle parking and electric vehicle charging
- A small camping area( not further described)
- External yoga terrace
- Large earth bund 350m long and 1 m high for flood mitigation

The application confirms the proposal to expand the visitor experience at Holland Farm in order to give better access to the farm activities and states that methods of farming

will be on display. However the application site is not currently part of the visitor experience ( currently limited to the Original Site) and collectively these works are aimed at just that. It is disingenuous to describe them simply as “re-use and extension of buildings for accommodation related to the WWOOFers” As the planning statement provides “currently Holland Farm is only accessible to the farm workers”

In the appeal APP/N1920/A/04/1170968 the Inspector stated at para.18 ( which relates to the application site) “Significantly, however, the location of the building/buildings... would be ....outside the limit of the land that benefits from the 1996 permission (for religious use) on land that currently comprises open countryside in agricultural use. I am therefore firmly of the opinion that the fact that some 30 to 40,000 people would visit the site on an annual basis amounts to a materially different use of the land from a purely agricultural use and could not reasonably be considered as ancillary to the agricultural use. “ CS15 cannot apply.

The proposals are inappropriate development in the Green Belt, as collectively they do not conform with the exceptions set out within paragraph 154 of the NPPF.

These are not merely buildings for agriculture (154 a)) and in any event the proposals would result *in disproportionate additions over and above the size of the original building* (154c)) nor are they an appropriate other form of development under 154 h) iv. as they conflict with the purposes of including land within the Green Belt and *do not preserve openness*, the italicised phrases being discussed further on under “Landscape and Visual Impact/Openness”

Whilst SADM 27 provides new dwellings for agricultural, forestry or equestrian holdings will be permitted it must be demonstrated that there is a proven need for a worker to be on site there is no other reasonable alternative. The Trust does not believe that such need has been proven beyond doubt. Even using traditional farming methods staff numbers appear excessive. The Agricultural Needs Assessment shows very little staff required over winter. NPPF para 80 applies .

Furthermore no evidence has been produced to suggest any review of other reasonable alternatives- the developed envelope of the whole estate lies at the northern end where low profile agricultural worker accommodation would be more suitable and less likely to be used for commercial purposes off season.

The applicant says that if NPPF 154 is not found to apply then “ very special circumstances exist as it is essential for the site to remain a place of public worship and hold religious festivals.” This is patently incorrect – as explained above the application site has no authorised planning use for any religious purpose- it is just a farm. The NPPF and Policy CS13 are clear that that ‘Very Special Circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other

harm resulting from the proposal, is clearly outweighed by other considerations.” That does not apply here.

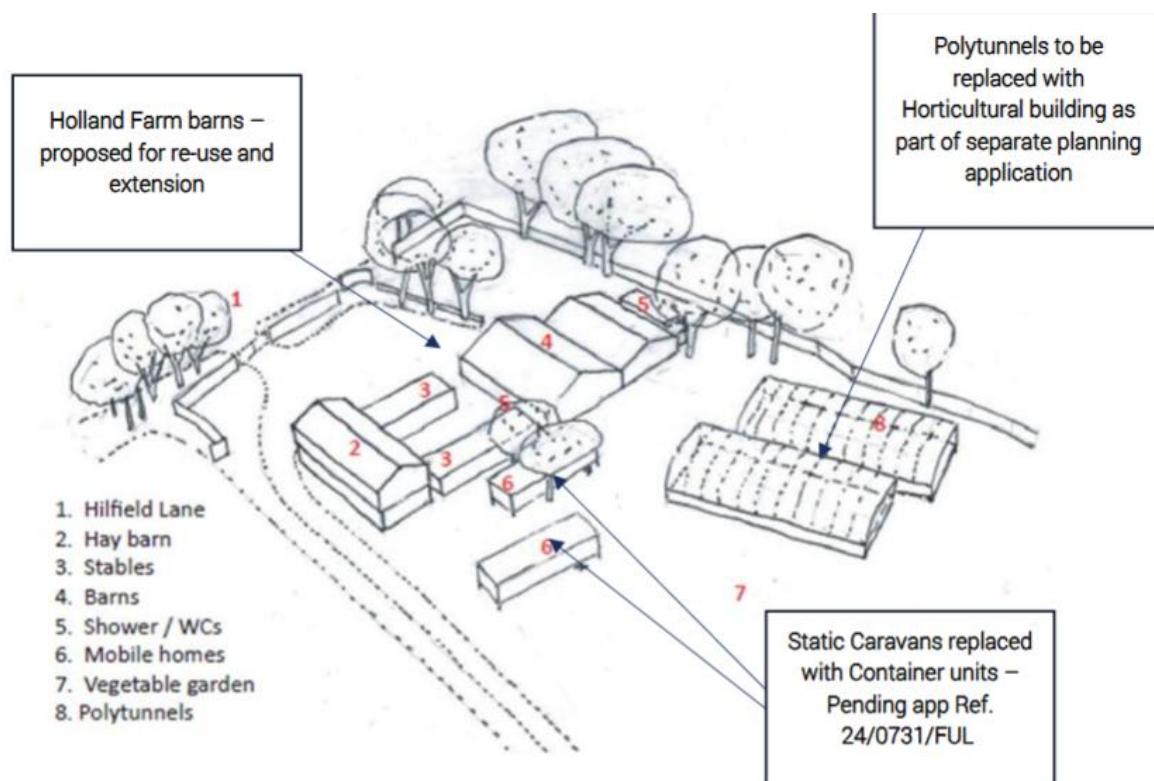
### **LANDSCAPE AND VISUAL IMPACT/OPENESS**

NPPF Paragraph 153 states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances

SADM26 provides that Green Belt development should be located as unobtrusively as possible minimising visual impact and that 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.

The proposals will cause substantial harm to the openness of the Green Belt. In assessing the impact of a proposal on the openness of the Green Belt both spatial and visual aspects must be considered.

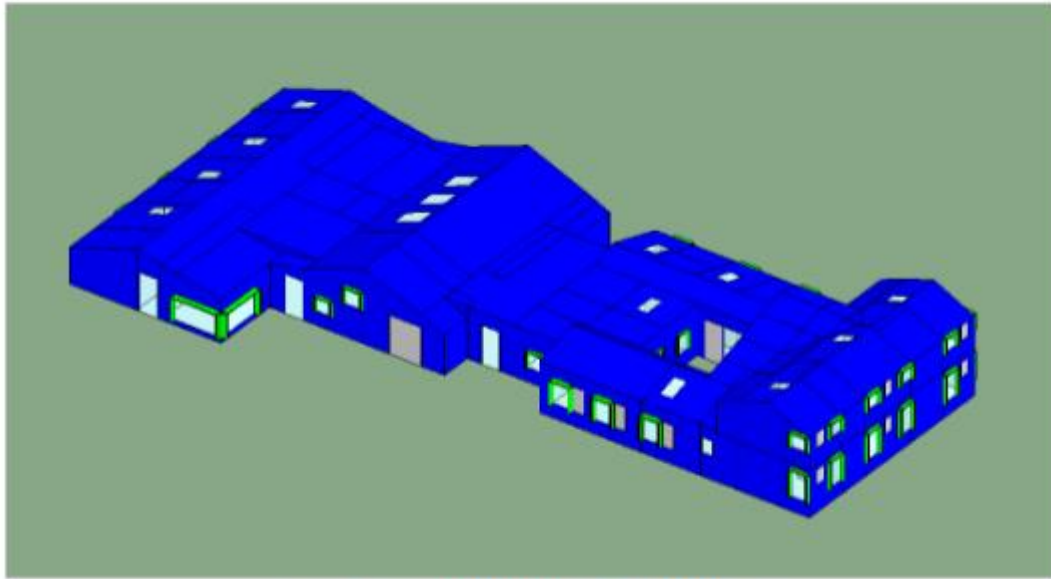
Spatially means occupying space. The spatial effect of the current buildings is illustrated below by reference only to the numbers 2,3,4 and 5 of the key.



**Picture 2 – Existing layout**

These structures, which are low, have space between them and will be replaced with a solid block, some 30-36% larger in size (measurements vary in the applicant's reports) and has been illustrated in the Energy and Sustainability Statement to look like this:

1670 | New Gokul Farm



*Figure 1: Extract from the IES model (Holland Farm)*

### **Picture 3 – Proposed new block**

The vista is substantially different and the proposals are and will be seen as materially larger in terms of bulk, size and scale with the planned extension, raised roof heights. Spatially this will be added to by the other structures proposed particularly the car park, the waste /bin area 7.3m high, 14m wide and 3.5 m deep, the yoga terrace and the large earth bund 350m long and 1 m high substantial hard landscaping, 7m high bin store and the 350m long bund. This is no way ameliorated by the fact that the 2 containers for residential use will be removed, they are in any event unauthorised. Similarly the proposed removal of the 5 polytunnels should not count in the balance when considering this application as their removal is part of the separate application 24/0138/FUL to include erection of a new barn and glasshouse; to include their removal here as part of the balance would, effectively, be double counting.

Core Strategy policy CS22 requires the Council take account of the cumulative impact of new development. Spatially, should 24/0138/FUL succeed then the very substantial nearby new additions of the new agricultural barn, 556 sq m, and the new glasshouse 942sq m, 6m tall- in such close proximity, will compound the spatial harm. The average two storey house is between 4.7 and 5.8 m There is little to demonstrate the

aggregate of these in either application but the cumulative impact of all this can be well imagined from the dimensions above.

Flooding risks( discussed further in) mean that the residential floor levels need to be raised above the low point of the site. The risk also necessitates an earth bund and a drainage swale to reduce surface water velocity, This will comprise a 120m long by 1m high earth bund on the south and east sides of a vegetable growing area leading to more visual intrusion.

Visually, extending, heightening and partially rebuilding the existing structures will mean that gentle views between the existing structures will be entirely lost, leading to a decrease of openness. The accommodation block is only part of this application and together with the widening of Hilfield Lane, replacement of the open grassed introduction to the area by a wide tarmacked car park and the large bin store will together fundamentally change visual aspect from agricultural to modern urban sizeable built form, again, compounded should the proposals at 25/0138 proceed. Noteworthy is that 25/0138 also contains proposals for substantial pedestrian and oxen paths which will have an enclosing effect visually. Again CS22 relating to cumulation applies.

Holland Farm is currently accessed by a gated entrance off Hilfield Lane only accessible to farmworkers who use it for agricultural machinery access and limited car parking. The narrow entrance which has modest solid gates is usually closed. It is intended to increase the width of the entrance by around 20%; the anticipated intensification of use and the new parking areas will undoubtedly lead to the new gates being open more frequently giving clear views of what collectively will be a set of very large buildings impacting the hitherto rural vista from Hilfield Lane.



**Picture 4- Current view through gates to open low buildings**



The view above will change with widened access, substantial tarmacked car park and higher, larger building in a solid block.




**Picture 5- Current opening to application site off Hilfield Lane**

The proposal overall will cause substantial harm to the openness of the area and is not compliant with either the NPPF which requires any Green Belt development to be as unobtrusive as possible nor with SADM 30. The intensification of use of the site and the harm this would create adversely impact both visually and spatially on the openness of the Green Belt.

**BHAKTIVEDANTA MANOR PLANNING BRIEF SUPPLEMENTARY PLANNING  
DOCUMENT ADOPTED DECEMBER 2012 (SPD)**

The Council says, of SPDs, “they explain in greater detail how policies will be used to control development and are a material consideration when we are assessing planning applications.” Yet the SPD has been glossed over in the application.

The SPD is the only site specific SPD across the whole of the Borough and was prepared by the Council in consultation with the International Society for Krishna Consciousness (ISKCON) to provide a clear plan for the future development of Bhaktivedanta Manor. Public consultation was also undertaken.

The SPD provides a clear understanding of the long term aspiration of ISKCON and provides a clear development framework from December 2012 over the next 15 years and beyond. The preparatory brief considered the Green Belt, the  Conservation Area, the Listed Building and the amenities of the local community. The SPD site plan includes the application site.

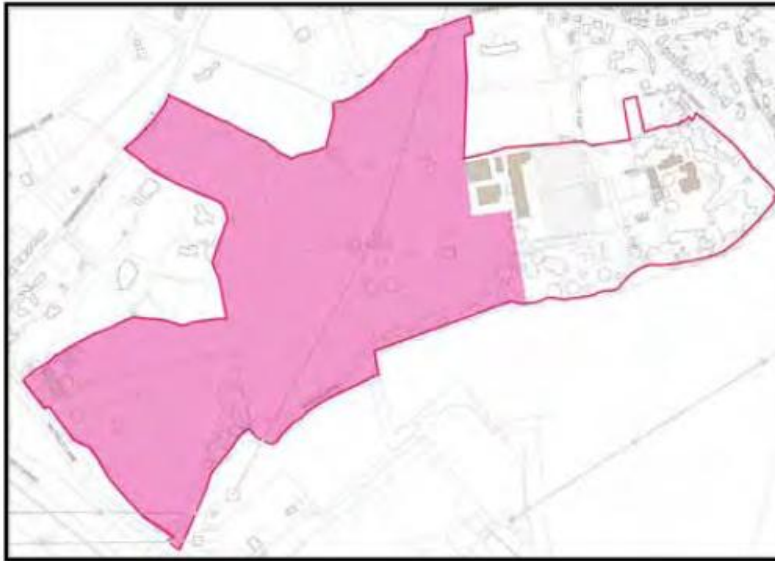
In assessing future needs principles adopted included

- a. Future use of the site to be limited to the existing established uses.
- b. No new uses or additional quantum of parking.
- c. The general level of use to continue to be regulated to the existing levels.
- d. The protection or enhancement of the listed building and Conservation Area, in addition to the environmental and amenity considerations of the local community.

The SPD is based on the statement of needs prepared by ISKCON, entitled Supporting Document For Planning Brief.

In considering the preferred location for the Haveli ISKCON analysed the rest of the estate and the following is an excerpt which includes the application site and confirms their view, at least then, that the application site was unsuitable for development as per the comments shown in blue below.





AREA 10  
 Entire area west of goshala  
 Visible from neighbouring  
 properties and Footpath 28  
 and Footpath 29  
 With the exception of some  
 development at Holland Farm  
 this is arable farmland and loss  
 of grazing impacts on viability  
 of the farm  
 Impacts on openness of Green  
 Belt  
 Interrupts goshala operation  
 Unsuitable location for  
 pedestrian connections to  
 Manor therefore access roads  
 and carparking will be required

**Picture 6- extract from applicant's Statement of Needs for SPD ruling out this area for development**

The development at Holland Farm refers to pre-existing development and there have been no changes to make this area any more suitable for development. There were no needs stated in respect of the application site and no provisions for development of it were included in the SPD.

The SPD still has time to run. As said, it is a material planning consideration . The Trust meets regularly with ISKCON and suggested many months ago that if they require to develop further then they should prepare a master plan for consideration by the Council with a view to updating the SPD which is a lengthy process. At the same time it would seem sensible that a developable envelope is included in the next draft of the Local Plan where, subject to planning, limited further development, could take place which would allow some expansion whilst balancing the needs of ISKCON with those of Letchmore Heath and Patchetts Green; to be limited to existing established uses and respecting the environmental and amenity considerations of the local community, these being key principles of the SPD.

**These views have also been communicated to the Council and the Trust views the making of this application and the associated 25/0138/FUL as premature and is of the view that these should be stayed until the above has taken place.**

**CUMULATION**

As we have said this application should be considered in conjunction with 25/0138/FUL. The cumulative impact of them both would be very substantial. CS22 applies.

CS22 should also be applied in respect of other ongoing applications across the whole estate. In this respect there is another outstanding application, still under consideration, namely 24/1078/LBC, part retrospective application for internal and external alterations to the existing stable block. This was made following unauthorised works to the Grade II building and involvement by Enforcement. At present the application relates only to structural works but the Trust has from the outset pointed out that change and intensification of use is also involved. ISKCON'S planning statement accompanying that application says "in planning terms, the use of the building will not change" but is clearly incorrect. Its covering letter states that "Prior to the recent works, the ground floor of the stable block contained kitchens that served residents, a gift shop, and a shower room and toilet" and explains that following the works "the ground floor will provide....bakery: including a kitchen, nasto kitchen, seating area, counter, and servery, shower room and toilet, relocated gift shop, book shop and children's area" Additionally material change of use is proposed and the stated new bakery, a nasto kitchen, seating area, counter, servery, book shop and children's area in our opinion all represent change of use requiring planning permission. The Trust is disappointed by a conversation with the Planning Officer where he stated that this is all just ancillary. It is not and the cumulative effect needs to be considered.

### **INTENSIFICATION OF BUILDINGS AND COMMERCIALISATION AND USE**

The applicant's statement that "there would not be a more intensive use of the site as it will continue to operate in the way that it has for many years" is incorrect. This application will lead to intensification in terms of commercialisation, density of buildings and intensification of use. Such expansion is wholly outside the terms of the SPD. A guiding principal in the Bhaktivedanta Manor SPD 2012 is "the general level of use to continue to be regulated to the existing levels" This is in direct conflict with the applicant's clearly stated aim to expand the visitor experience.

SADM 26 provides that account should be taken of the proposed change and intensity of the use(s) and the buildings at the site.

The Agricultural Statement is clear in its admission that there will be widespread intensification of use saying "There are plans for new enterprises to be added including a training kitchen using produce from the farm, a café and an enlarged farm shop in the Goshala building. There will also be more visitor access across the holding leading to a more interactive visit." Although the subject of 25/0138 it appears that the Goshala will be extended and a mezzanine included and will be given over to commercial use entirely, the mini Zebu cows complete with viewing platform, being more of an attraction than part of the productive herd. Intensification of use at The Stable Block is explained above. Intensification will also occur at the application site with 28 bedrooms and a good deal of domestic facilities as well as yoga facilities and a training kitchen.

The Trust is concerned that not only would these uses result in commercial intensification but that this has the potential to introduce visitors to the site who would be attending solely for these activities rather than for religious purposes. Although not specifically mentioned in the application itself, extracts given from the pre-app show intent to hold farm experience workshops – given the multi-purpose nature of the non-bedroom areas this, yoga retreats and indeed other uses, would be entirely possible. The stated aim of enhancing and expanding the visitor experience is bound to attract more people.

In establishing the scope of the consent in planning permissions it is clear that the operative part of the permission permits, but does not restrict - see the Supreme Court's discussion in *Trump International Golf Club v Scottish Ministers* [2015] UKSC 74). If the intention is just for WWOOFer sleeping and living accommodation then conditions would be needed to be imposed to prevent other uses. See *I'm Your Man Ltd v SoSE* (1998) 4 PLR 107 - for a limitation on the grant of permission to be effective, it cannot appear in the operative part, but needs to be done by condition instead.

It is noted that 3.6 of the Planning statement refers to the pre-app statement as proposing "single storey, first floor and two storey extensions to the existing structures on the site to provide 27 new bedrooms for permanent farm workers (14 ensuite) and a further separate bedroom for a warden and their partner" This application refers to 15 bedrooms, presumably as a result of the pre-app consultation but intensification proposals are clear and any permission granted should specify maximum overnight occupancy.

### **CONSERVATION AREA AND HERITAGE**

The vast majority of the application site edged red below, including the area proposed for built development, is in the Patchetts Green and Delrow Conservation Area, hatched below. The proposal is detrimental to the Conservation Area by reason of intensification of buildings and use, exacerbated by its roadside position within the Conservation Area, this area being heavily used by walkers in addition to motor traffic.



**Picture 7- Shows application site edged red and Conservation Area hatched**

The applicant's Heritage Statement concludes that "The Site is currently assessed as providing an overall minor negative contribution to the significance of the conservation area due to a neutral contribution from the majority of the built features in the Site, with some negative elements, particularly the container homes." However the container homes are unauthorised and must be removed from the Heritage balance.

The Trust disagrees that the "proposals will ensure that the Site's character and appearance is more sympathetic to the character and appearance of the Conservation Area" the overall effect will be to change the agricultural look to an urbanised one. SADM 11 applies. The proposals collectively remove almost all open land at the application site and cumulation with 25/0138 must also be considered.

The application site is integral to the setting of a group of historic buildings, including Delrow House, Patchetts Cottage, Garden Cottage and Orchard House, Grade II listed. The setting of these benefit from the agricultural nature of the application site with its rural openness.

The Pillbox is stated as having limited intervisibility with the site; however it is in close proximity to the site opening which is proposed to be widened, with tree removal along the line leading to the Pill Box . This picture, in mid Spring , shows this and this will be much starker in winter.



**Picture 8 – Showing Pill Box in April with application site entrance to north**

The proposal for additional buildings will adversely impact the setting of the Heritage assets as well as the Conservation Area. CS14 and SADM 29 are applicable. The new buildings are over 7.3 m high in part and the widening of the entrance to Hilfield Lane with associated removal of some of the roadside tree line will result in increased visibility by the public.

### **FLOODING**

There is a high risk of surface water flooding at Holland Farm. SADM14 states that development at risk from any form of flooding should be flood resilient and resistant, with safe access and escape routes; it should also be demonstrated that residual risks can be safely managed.



Yet the Flood Report states that despite mitigations “the redevelopment area is at significant risk of flooding during the design event.....the map shows that the flood hazard across the front courtyard of the Holland Farm Site ranges between very low (i.e. flood hazard threshold 0.75) to significant (flood hazard thresholds between 1.25 and 2.0 ie **danger to most**. Based on this, safe access/egress from the farm accommodation to Hilfield Road is operational with caution .... during extreme flood events.

Whilst these may not be frequent the fact that the Flood Report states “it is recommended that residents remain in the accommodation during flood incident” is concerning.

In these circumstances SADM 14 prescribes a reduction in the footprint of the buildings yet the footprint here is to be expanded which is contrary to the further principle in SADM14 that risk from all types of flooding should be reduced as a consequence of development.

Substantial hardstanding is proposed here and under the associated 25/0138 which will exacerbate flood risk.

### **ACCESS AND HIGHWAYS**

The Planning Statement says that “Holland Farm is currently accessed by a gated entrance off Hilfield Lane and only staff use this access for agricultural machinery access and limited car parking. Currently Holland Farm is only accessible to the farm workers” It seems beyond doubt that an increase in commercialisation and visitor attractions will bring more visitors to the estate.

NPPF para 116 is relevant; permission can be refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios. The surrounding road network including the A41 is already much impacted when there are high visitor numbers.

The increased parking facilities and a widened entrance off of Hilfield Lane will lead to the new parking spaces being used by other people, particularly with the yoga centre at this area. A yoga retreat was mentioned in the pre app and as part of longer term plans in the planning statement for retrospective consent for the 2 container homes despite that phrase not appearing in this application.

Furthermore Application 25/0138 proposes an upgraded oxen track that will be used to transport visitors from the Goshala to Holland Farm and this upgrade could enable people to join from and return to this point as well. It is therefore puzzling that with all of this and the increase in units of sleeping accommodation that the applicant contends that proposals will not generate any additional vehicle trips to / from the site.

No Construction Traffic Management Plan has been provided. Traffic to the applicant's nearby road Dharam Marg is often very heavy. In addition it is possible that if permitted this development could take place at the same time as a number of other HGV heavy proposed developments in the immediate vicinity; namely:

- The applicant's proposals under 25/0138/FUL
- The Battery Energy Storage System being considered under 25/0153/ FUL where the proposed build time is 2 years
- The expansion of the Elstree substation ( much under permitted development) where the proposed build time is 5 years

## **NOISE**

The actual use of the development may well vary. It appears to have a number of multipurpose possibilities including outdoor camping. Outdoor activities are sometimes audible from other parts of the estate in Letchmore Heath. The development is adjacent to Delrow House which accommodates adults with learning disabilities, including autism, and many of their residents will have heightened susceptibility to noise levels.

If permission is granted it is important that it is conditioned so as not to cause the Delrow community any audio disturbance. This may require both the usual condition of 10 dB below the background sound level as well as restrictions on outdoor activities that cause undue noise. Any such condition should also factor in the inevitable noise that will be produced by the proposed heat pumps.

SADM principles apply and there should be no increase in background noise levels beyond the site boundary.

## **CONCLUSION**

**The Trust concludes that this application does not satisfy exclusions permitted within the Green Belt, under NPPF exceptions, nor are there very special circumstances so as to allow this in the Green Belt. The proposals will cause harm to the openness of the Green Belt, the character and appearance of the Conservation Area and the setting of nearby heritage assets. It represents an unacceptable intensification in terms of building, commercialisation and use which would result in additional visitor numbers and consequent impact on the local communities. It is inconsistent with the SPD, both in terms of build proposals and timing and proposes additional built development in area that is clearly prone to serious pluvial flooding. The Trust strongly urges the Council to reject the application.**

**JANET ENGELS, LETCHMORE HEATH VILLAGE TRUST April [ ] 2025**