

5 DCNE2009/0425/F - THE RETENTION OF POLYTUNNELS UPON FIELDS H, M, P, Q, R, W, X AND Z TOGETHER WITH THE PARTIAL REMOVAL OF POLYTUNNELS FROM FIELDS F, G, I, K, L, M, Q, X AND Z AND A COMPREHENSIVE LANDSCAPING SCHEME FOR THE ENTIRE SITE. AT HAYGROVE FARM, FALCON LANE, LEDBURY, HEREFORDSHIRE, HR8 2PY.

For: MR DAVISON, C/O HAYGROVE LTD, REDBANK, LITTLE MARCLE ROAD, LEDBURY, HEREFORDSHIRE.

Date Received: 27 February 2009 Ward: Frome Grid Ref: 366975,238855

Expiry Date: 4 June 2009

Local Members: Councillor PM Morgan

1. Site Description and Proposal

Background

- 1.1 As Members will be aware the Council operated a voluntary code of practice for soft fruit growers in relation to polytunnel developments between 2003 and 2006. Once the law in respect of polytunnels was clarified, following the Tuesley Farm case, and the operation of that code ceased, negotiations were sought with all of the major growers with a view to planning applications being submitted. In the case of Haygrove, unlike other Farms, no planning application was forthcoming. It was considered that this position could not continue without a decision being made as to the acceptability or otherwise of the polytunnels upon the site. Research and evidence revealed that some of the polytunnels upon the site were already lawful by virtue of being in-situ for a period in excess of four years whilst others were not. However, some of those unlawful fields were approaching the "four year period" whereby they could have become lawful unless the Local Planning Authority took enforcement action. A schematic plan that shows both the "lawful fields" and the "unlawful fields" is attached as **Annexe 1**.
- 1.2 Therefore to safeguard the Council's position a decision was made as to the acceptability or otherwise of the still unlawful polytunnels. It was concluded that the cumulative visual impact from long-distant vantage points of both the lawful and unlawful polytunnels without any of them being removed and without additional landscaping was unacceptable. As such the Council served an Enforcement Notice requiring all of the unlawful polytunnels to be removed within 90 days of the Notice taking effect on 16 September 2009.
- 1.3 The service of the Enforcement Notice did not mean that a negotiated solution could not be reached. It was always considered that a negotiated solution may be possible that involved the removal of some polytunnels (both lawful and unlawful) and the submission of a comprehensive landscaping scheme for the entire site.
- 1.4 Rather than appeal the Enforcement Notice, the applicant decided to enter into negotiations with a view to submitting a planning application that involved the selective removal of some polytunnels and a comprehensive landscaping scheme for the entire site. The applicant involved the community in this process. This approach was welcomed and it is the

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subsequently submitted application that is now under consideration. The planning application has been the subject of a formal screening opinion under the Environmental Impact Assessment Regulations. It was determined that an Environmental Impact Assessment was not required. However, it should be noted that the level of information and scope of information that has been required to be submitted is akin to a full Environmental Impact Assessment.

- 1.5 Whilst the Enforcement Notice has not been complied with within the specified period, it is considered that it would be premature to pursue prosecution proceedings in advance of this planning application and, in the event of a refusal, any subsequent appeal being determined.

Description of Site

- 1.6 The application site lies to the west of Ledbury. Haygrove Farm is sited in the area between the A4172 to the west, the A438 to the north, Falcon Lane to the east and Bargains Lane / Little Marcle Road to the south. The site is spread over gently undulating ground rising to the north and east, with a dominant valley through the centre of the site running from east to west. The most elevated position upon the site is the northernmost part of field 'I'.
- 1.7 Soft fruit comprising strawberries, raspberries, blackberries and cherries are grown at Haygrove Farm.
- 1.8 Through the centre of the site is a public footpath that runs from west to east, from Falcon Lane to Pixley Church (i.e. public footpath PX1). This footpath is not linked to the wider network and as such is a linear route. To the south of the site a bridleway that runs from Priors Court to Bargains Lane (i.e. Public Bridleway AL7). Along its route, it passes through Ast Wood which is a Special Wildlife Site. Orling Coppice north of Ast Wood and north-west of field 'Y' within the site is part of this Special Wildlife Site. The remainder of Haygrove Coppice within the application site (north of field 'R') is ancient woodland. The site is not only visible from these public vantage points and the immediately surrounding public highway network (e.g. Falcon Lane) but is also readily visible from long distant public vantage points. In this regard attention is drawn to the view from the Marcle Ridge between the car park and the tall communications tower immediately east of Hoar Wood. Other long-distance views are obtained from this area and further afield to the north-west including from the Durlow Common area.
- 1.9 To the west of the site is a Grade 2 listed building known as Knapp Farmhouse.
- 1.10 Members will recall visiting the site on 14 July 2009. Members viewed not only the site itself but also viewed it from the surrounding highway network, from the Marcle Ridge and from the grounds of Pixley House.

Relevant Planning History

- 1.11 Whilst the wider site has an extensive planning history the only previous application directly related to the polytunnel development was an application for a Certificate of Lawful Development in respect of polytunnel development that was refused on 14 December 2005.

Proposal

- 1.12 The existing Farm has a total area of some 69.2 hectares of which approximately 45.8 hectares are covered in polytunnels. Approximately 31.7 hectares of polytunnels are lawful by virtue of the four-year rule, whilst approximately 14.1 hectares of polytunnels are unlawful.

1.13 The proposal under consideration involves the retention of all of the existing polytunnels other than selective removal of some polytunnels from the site and a comprehensive landscaping scheme for the entire site. The polytunnels proposed to be removed are:-

- Two tunnels in the south-east corner of lawful field 'F';
- the entirety of the first tunnel at the western end of lawful field 'G';
- 50% of the second tunnel at the western end of lawful field 'G';
- part of the third tunnel at the western end of lawful field 'G';
- part of the fourth tunnel at the western end of lawful field 'G';
- part of the fifth tunnel at the western end of lawful field 'G';
- partial removal of polytunnels from the northern end of lawful field 'I';
- two polytunnels along the entire length of lawful field 'K' adjacent to its northern boundary;
- three end hoops of each tunnel along the entire western end of lawful field 'L' in Autumn of 2015 when the existing established cherry trees are to be removed;
- the entirety of the first tunnel at the western side of field 'M';
- the entirety of the first polytunnel at the eastern side of field 'Q';
- the two shortest polytunnels in the north-eastern corner of field 'X' and 50% of the third polytunnel as far as the furthest extent (south-eastwards) as the second tunnel; and
- the first polytunnel from the south-western side of field 'Z'.

1.14 The landscaping scheme is designed to mitigate against the visual impact of all of the polytunnels proposed to be retained – both those that are lawful and those that are unlawful. All of the proposed landscaping comprises indigenous species and in total over 5,000 trees/shrubs would be planted. The areas of planting that are proposed are:-

- a woodland belt in the north-eastern corner of field 'V' (WB10) (53 plants);
- a woodland belt in the north-eastern corner of field 'X' (WB9) (252 plants);
- along the eastern boundary of field 'Q' reinforcing an existing line of alders (H2) (1808 plants);
- along the eastern boundary of field 'P' reinforcing an existing line of alders (H1) (1,325 plants);
- a woodland belt to the south of field 'L' (WB7) (563 plants);
- a woodland belt to the west of field 'L' (WB6) (33 plants) – this planting would take place in the (2015/2016 planting season);
- a woodland belt to the north of field 'K' (WB4) (317 plants);
- a woodland belt to the north of field 'I' (WB11) (163 plants)
- a woodland belt to the south of field 'H' (WB3) (103 plants)
- a woodland belt to the west of field 'G' (WB2) (153 plants);
- a woodland belt to the east of field 'F' (WB1) (131 plants);
- a woodland belt to the southwest of field 'Z' (WB5) (111 plants); and
- a woodland belt to the west of field 'M' (WB8) (305 plants).

2. Policies

2.1 Central Government Advice

Planning Policy Statement 1 – 'Delivering Sustainable Development'
 Planning Policy Guidance Note 4 - 'Industrial, commercial development & small firms'
 Planning Policy Statement 7 – 'Sustainable Development in Rural Areas'
 Planning Policy Statement 9 – 'Bio-Diversity and Geological Conservation'
 Planning Policy Guidance Note 15 – 'Planning and the Historic Environment'
 Planning Policy Statement 25 – 'Development and Flood Risk'

2.2 Regional Guidance

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Regional Planning Guidance 11 (June 2004) and Regional Spatial Strategy for the West Midlands (January 2008).

2.3 Herefordshire Unitary Development Plan 2007

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|------|---|---|--|
| S1 | – | Sustainable Development | |
| S2 | – | Development Requirements | |
| S4 | – | Employment | |
| S6 | – | Transport | |
| S7 | – | Natural and Historic Heritage | |
| DR1 | – | Design | |
| DR4 | – | Environment | |
| DR6 | – | Water Resources | |
| DR7 | – | Flood Risk | |
| E13 | – | Agricultural and Forestry Development | |
| LA2 | – | Landscape Character | |
| NC1 | – | Bio-Diversity and development | |
| NC5 | – | European and nationally protected species | |
| NC6 | – | Biodiversity Action Plan priority habitats and species | |
| NC7 | – | Compensation for loss of bio-diversity | |
| NC9 | – | Management of features of the landscape important for flora and fauna | |
| HBA4 | – | Setting of listed buildings | |
| T6 | – | Walking | |

Polytunnels Supplementary Planning Document Adopted 5 December 2008.

3 **Consultation Summary**

Statutory Consultees

- 3.1 The final views of the Environment Agency are attached as **Annexe 2**.
- 3.2 Natural England has no objection. They support the Landscape and Ecological Management Plan and make the point that the site is not readily visible from the Malvern Hills Area of Outstanding Natural Beauty. They welcome the additional screening proposed that would be in keeping with the local landscape character.

Internal Council Advice

- 3.3 The Public Rights of Way Manager does not object to the application. The matter of impact upon public rights of way is addressed in the appraisal section.
- 3.4 The Planning Ecologist does not object to the application subject to the imposition of a condition and appropriate informatives. The ecological issues will be addressed in the appraisal section.
- 3.5 The Senior Landscape Officer does not object to the application. The landscape impact issue will be addressed in the appraisal section.
- 3.6 The County Land Agent has no objection to the application. He states:-

“From the agricultural point of view the demand is now for soft fruit grown under cover and where possible natural predators being used to control pests, although powerful chemicals

have to be used between strawberry crops to sterilise the land from pests and diseases in the soil”

- 3.7 The Transportation Manager is satisfied that trip rates of produce are not likely to exceed the capacity of the local highway network. It is stated the movements of workers will rarely coincide with fruit movements. It is concluded that on balance, whilst traffic levels generated by polytunnels are significant as a proportion of total traffic, they are not such as to cause either serious congestion or safety problems on the local highway network.

5. Representations

- 5.1 Objection letters or e-mails have been received from forty-three households. These include local households and others further afield. They object on the following summarised grounds:-

- the economic benefits alleged to accrue from the development are questioned;
- polytunnel coverage has had a negative impact upon the County as a tourism destination;
- the amount of polytunnel coverage is excessive;
- the amount of polytunnel removal now proposed together with the landscaping proposed would not ameliorate the negative cumulative visual impact correctly identified by the Local Planning Authority in the enforcement notice;
- the polytunnel development adversely affects the setting of the listed Pixley Church and Knapp Farmhouse;
- views from private dwelling houses in the vicinity are and would continue to be adversely affected;
- the activity associated with the agricultural activity associated with this polytunnel development adversely affects the amenities of occupiers of dwelling houses in the vicinity;
- the lighting associated with the workers caravans has an adverse impact;
- the additional vehicular movements associated with the polytunnel development prejudices highway safety at the junction with the A4172 and adversely impacts upon the amenities of occupiers of dwelling houses in the immediate vicinity;
- the enjoyment of public rights of way is adversely affected;
- the community consultation exercise undertaken by the applicant was inadequate;
- the surface water drainage arrangements are inadequate and create an increased risk of flooding at Priors Court and elsewhere in the vicinity;
- the impact of vehicles movements upon Falcon Lane including the impact upon residential amenity;
- the noise nuisance created by foreign workers;
- the sterilisation of the soil adversely impacting upon fauna and flora;
- litter problems created by the workforce;
- fast growing evergreen and non-native species such as eucalyptus should be incorporated in the landscaping scheme;
- inadequacy of the local highway network;
- the inadequacy of local services to cater with the large number of foreign workers required to service these polytunnels; and
- The polytunnels create a noise nuisance in certain windy and wet conditions.

- 5.2 Two Planning Consultants and a Land Drainage & Flood Consultant have been engaged by local residents. They object on the following summarised grounds:-

- The surface water drainage arrangements are unsatisfactory and would increase flood risk to the occupiers of Priors Court. *The submissions made in relation to this issue are too lengthy to report in full. Members are advised that all of these specific submissions together with all others are available for viewing upon the file. The Environment Agency*

have been fully aware of these submissions throughout the process and would have afforded them due consideration;

- The lawful and unlawful status of the fields is questioned – *Members are assured that it is considered that the Council's research and assessment in this regard which included collection of evidence from aerial photographs and local residents is correct;*
- The solution advanced by this application does not mitigate the cumulative visual harm of the polytunnel development;
- The economic arguments advanced by the applicant should not be accepted without expert scrutiny. Little if any weight should be afforded to the economic arguments
- The decision not to require an Environmental Impact Assessment is questioned; and
- The accommodation issue needs to be addressed.

5.3 Pixley and District Parish Council object to the proposed development. They state:-

“The Parish Council whilst acknowledging that some effort has been made in this amended application to address concerns, continue to object the planning application for the following reasons:-

Polytunnels at Z, M, X and W are felt to be too intrusive on the surrounding properties. The Parish Council feel that Z should be reduced by approx 50% and M by 20%. X and W - additional screening should be introduced to what exists on the planning application.

Herefordshire Council should look at flooding in some detail, from engineering point of view, and infrastructure put in before application accepted and increased traffic implications in Falcon Lane.

Parish Council remain conscious of employment brought to the community and general benefits in the community.

The Parish Council recommends a site visit is made by Planning Officers prior to any decision being made.”

5.4 The Ledbury Town Council who originally objected to the application now wish to see the application approved.

5.5 The Council for the Protection of Rural England feel that the existing polytunnel development is most obtrusive when viewed from the Marcle Ridge. They state that several belts of trees running north-south through the farm would be required to break up the lake of plastic. They consider that the proposed landscaping scheme goes some way to achieve this but still feel that the view from the Marcle Ridge may still be rather spoilt and that the public footpath running through the site will still tend to be dominated by tunnels. They also wonder whether more could be done to screen the tunnels from neighbouring properties.

5.6 The Campaign for Polytunnel Control objects to the proposed development. Their letter criticises the Local Planning Authority administration relating to polytunnel developments.

5.7 The Ramblers (Herefordshire Area) and Ledbury Walkers Club object to the application on the basis of a negative impact upon the enjoyment of the public rights of way.

5.8 The British Horse Society expresses concern as to the condition of the bridleway adjacent to field ‘Y’.

5.9 The NFU Mutual support the application and stresses employment generation that accrues from Haygrove’s activities.

- 5.10 Avoncrop Limited have written in support of the application and stress that businesses such as theirs that employ in excess of 50 people in North Somerset are reliant upon businesses such as Haygrove.
- 5.11 Richard Tooby Farm Services Ltd., a local agricultural engineering business, have written in support of the application stressing that approximately 90% of their business comes from the fruit industry. They state that they are only one such business that rely upon fruit farms for valuable work. They state that without these tunnels the impact upon their business would be substantial. They stress, particularly given the existing economic climate, the importance of encouraging employment.
- 5.12 An Electrical Contractor from Newent has written in support of the planning application. He states that 15% of his firm's work, that employs 8 people, accrues from Haygrove's business.
- 5.13 One local resident has written in support of the application. They stress that the countryside is a working landscape based on agriculture and that agriculture must be viable.
- 5.14 The Chamber of Commerce (Herefordshire & Worcestershire) support the application. They stress that the site is within the Rural Regeneration Zone as designated by Advantage West Midlands, therefore the provision of jobs is important to the local community, as this designation highlights economic weakness. They stress the jobs that accrue in the local community and the economic contribution both in terms of direct expenditure by the farm and indirect expenditure by their workers. They stress the support to local suppliers.

The full text of these letters can be inspected at Planning Services, Garrick House, Widemarsh Street, Hereford and prior to the Committee meeting.

6. Officer's Appraisal

- 6.1 When considering any application for the erection of polytunnels one needs to balance the economic benefits against the environmental impacts. Normally the main environmental impact is the visual impact upon the landscape.

Economic Benefits

- 6.2 Polytunnels have enabled greater quantities and better quality of soft fruit to be produced. The success and viability of businesses such as that at Haygrove Farm have made a positive contribution to the rural economy.
- 6.3 Planning policies at national, regional and local levels recognise the importance of the agricultural sector. Planning Policy Statement 7 advises authorities to support development proposals that enable farming to become more competitive, sustainable and environmentally friendly and to adapt to changing markets. Herefordshire is part of a Rural Renaissance Zone defined in the Regional Spatial Strategy for the West Midlands. Policy PA15 seeks to promote agriculture and farm diversification, including new and innovative crops, on-farm processing and local marketing.
- 6.4 Policy E13 of the Unitary Development Plan deals with agricultural development and the supporting text refers to the need to balance landscape impact against the operational needs of agriculture, recognising that necessary developments are often prominent in the rural landscape.
- 6.5 Polytunnels have two main benefits to British growers:-

- They protect developing fruit from rain damage, thereby greatly reducing losses from rot and fungus whilst allowing continual picking at harvest-time, unconstrained by the weather; and
 - They extend the growing season, allowing fruit to be harvested from May to November instead of being limited to the traditional June/July period. No additional heating or lighting is used to extend the growing season.
- 6.6 According to the national soft fruit trade association and a fruit marketing company, British strawberry and raspberry production has increased more than five-fold since 1996; most of that growth being attributed to the use of polytunnels. Ninety per cent of strawberries and 98% of raspberries are now grown under polytunnels, compared with no raspberries and 4% of strawberries ten years ago. The use of polytunnels has allowed the applicant and other growers to supply a growing demand for fresh fruit in response to national healthy eating campaigns.
- 6.7 A further indication of the transformation that has taken place in British soft fruit growing is that in 1996, 60% of UK sales were supplied by domestic growers, whereas in 2007, 95% of all berries sold in the UK were grown in the UK. The substitution of local fruit for imported fruit has therefore resulted in significant sustainability benefits of reducing the international transportation of fruit by air and road (the food miles issue). For instance, until recent years fruit was air-freighted from California as the main source of late summer and early autumn soft fruit, but those imports have been eliminated. Nationally, it is calculated that import substitution in 2007 is valued at £110 million. The contribution of Haygrove Farm must be a small percentage of this national figure, but nonetheless, it is considered that weight can be attributed to its share to the overall success.
- 6.8 Soft fruit picking and packing is a labour intensive activity, and it is accepted that the expansion of the business at Haygrove Farm has made a positive contribution to the rural economy. During the peak June – September period each year The Farm employs some 545 staff of which 32 are full-time permanent staff, 8 are part-time staff and 505 are temporary seasonal staff. Clearly such employment levels are not generated by say arable farming. Seasonal labour is recruited mostly from Eastern European Countries under the Home Office approved Seasonal Agricultural Workers Scheme. The seasonal workers are accommodated in caravans which are to be the subject of a planning application yet to be submitted. It would be premature to determine such an application in advance of this one as the need for seasonal worker accommodation only arises from the polytunnels. The seasonal workers spend a proportion of their wages locally making a positive contribution to the local economy.
- 6.9 In addition, to the above it is clear that the business at Haygrove Farm must purchase goods and services in the UK, helping to support jobs in supplier companies. Whilst some of these suppliers may be national businesses, the planning application is accompanied by letters of support from local agricultural suppliers that benefit directly from the success of the soft fruit at Haygrove Farm.
- 6.10 Therefore it is concluded on the first issue that the benefits of polytunnels, in enabling the production of increased quantities and qualities of soft fruit; the sustainability benefits of reducing food miles and the positive contribution to the rural economy are all matters to which considerable weight should be accorded in the balance of considerations.

Environmental Impacts

- 6.11 Although it is considered that economic benefits accrue, this does not mean that polytunnel developments should be allowed at any environmental cost. The various planning considerations need to be balanced. These environmental considerations will be addressed in the remainder of this appraisal, commencing with the issue of landscape visual impact.

Landscape Visual Impact

- 6.12 Firstly the site is not within a designated Area of Outstanding Natural Beauty. This is an important point as in such areas with a special landscape designation priority is normally afforded to the landscape over other planning considerations.
- 6.13 The second point is that when considering landscape impact views one is concentrating on views from public vantage points such as the public highway and public rights of way. It is not the purpose of the planning system to safeguard private interests or to safeguard views from individual dwelling houses. Where the development results in a loss of a private view but does not have a direct impact upon residential amenity by way of matters such as loss of sunlight, loss of daylight, loss of privacy or undue massing by reason of proximity and height, it is not considered to be a planning matter. Therefore whilst some local residents, especially the occupiers 'Pear Tree Orchard' (Falcon Lane), have had their view affected by the polytunnel development under consideration this is not considered to be a material planning consideration.
- 6.14 The appraisal will assess short-distance and then long-distance public vantage points.

Short-distant views

- 6.15 Given the scale of polytunnel development at Haygrove Farm, surprisingly little is visible from the surrounding highway network. Baregains Lane to the south-east and Falcon Lane to the east are characterised by dense roadside hedgerows. Whilst there are some gaps in these hedgerows and partial views of the polytunnels at Haygrove Farm are achieved the views are fleeting and brief as one travels these lanes whether at walking pace or in a motor vehicle. Indeed from the southern ends of these lanes the polytunnels are not visible due to intervening higher land and the presence of Ast Wood. Views are also achieved from the A438 to the north and the A4172 to the west. The A438 is at a higher ground level, there is intervening vegetation and views are brief especially when travelling in a motor vehicle. From the A4172 again views are brief, intervening vegetation exists and when travelling in a motor vehicle are brief.
- 6.16 The length of bridleway (AL7) passing along the southern edge of field 'Y' is approximately 100 metres out of its total length of approximately 1,368 metres. There is approximately six metres between the field's southern boundary and the end of the polytunnels to the north. This 6 metre width is sufficient for the legal alignment of the public bridleway and a six metre separation over a relatively small proportion of the entire bridleway is not considered to have significant impact upon the enjoyment of that bridleway. The surface of the bridleway hereabouts has been affected in the past by the deposit of plastic debris and other items. However, this has now been cleared-up and the route of the bridleway is proposed to be clearly demarked by timber posts driven into the ground. From the section of bridleway to the west of Ast Wood to Priors Court, when travelling in either direction, views of some, but not all, of the polytunnels exist. These views are to a degree softened by intervening vegetation. It is not considered that the visual impact from this bridleway causes undue visual harm.
- 6.17 From Falcon Lane, a public footpath (PX1) travels through the centre of the application site in an east-west direction to Pixley Church. The footpath is approximately 1,819 metres long. There is no connection to either the minor road network or the local public rights of way network at its west end without walking a considerable distance along the derestricted A417 Roman Road. However, the path does have recreational value as a 'walk and return' route to view Pixley Church. The footpath does not run along the internal access road itself, but just south of it within a grass strip approximately 6 metres wide. An existing mown grass strip either side of the internal access road means that walkers are largely unaffected by vehicle

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movements. When one travels this footpath from the east to the west, one begins by passing fields 'U', 'T' and 'S' to the south with no polytunnels to the north. At this point long distance views of the Marcle Ridge are still available due to the falling ground and the 6 metre separation from the road. In the vicinity of fields 'R', 'Q' and 'P' the views of the Marcle Ridge are temporarily lost due to the polytunnels. However, the view is also disrupted by way of the existing line of alders between fields 'R' and 'Q' and 'Q' and 'P', that are also proposed to be reinforced. The temporary loss of view to the Marcle Ridge hereabouts is not considered to be significant and would most probably occur if the land were managed for traditional agriculture and hedgerows allowed to grow to any height. Thereafter the view to the Marcle Ridge re-emerges and the space either side of the public footpath is such that one does not feel "hemmed-in" by the polytunnels either side. Additional landscaping, to be discussed further, will help to subordinate the polytunnels at close distance and in combination with selective removal, significantly change the current impact of development.

- 6.18 At all points the requisite gaps of 2 metres either side of the centre line of a public footpath and 3 metres either side of the centre line of a bridleway as advanced in the Polytunnels Supplementary Planning Document is adhered to.
- 6.19 It should be remembered that experiencing the landscape is often enhanced by variation and the repeated process of hiding and revealing views and landmarks, and the contrasts present in the landscape. Therefore it is concluded that from short-distant public vantage points the development with the proposed selective removal of polytunnels and enhanced landscaping does not have a significant adverse impact upon the landscape.

Long-distant views

- 6.20 The site is not visible from the Malvern Hills Area of Outstanding Natural Beauty to the east, primarily due to topography and the intervening Wall Hills Wood. Nor is the site readily visible from the north and south.
- 6.21 Indeed, when one analyses the site it is very well chosen, being located primarily in an introspective valley. The land is basically and predominantly low-lying. This is in sharp contrast to many other polytunnel sites in Herefordshire which tend to be on hillsides rising from river valleys. Those developments tend to be much more visually intrusive and one is often looking up at polytunnels thus exacerbating their visual impact.
- 6.22 It is for that reason that the full impact of the polytunnels at Haygrove Farm is only apparent when one is on higher ground looking down upon them. In this case that is some 7 km to the south-west at the Marcle Ridge and west in the vicinity of Durlow Common. The analysis supporting the application and made by officers concentrates on the Marcle Ridge as this is considered the most important viewpoint. It should be noted the footpath upon the Marcle Ridge is part of the Herefordshire Way and a popular and publicised circular walk. Certainly when one travels northwards along this footpath from the telecommunications mast in the vicinity of Firs Farm to the public car parking and picnic area to the north, a not inconsiderable distance, the polytunnels at Haygrove Farm are readily visible.
- 6.23 From this viewpoint the area of polytunnels of greatest visual intrusion are those towards the top of the rising land at field 'I' - this being the highest point upon the site - and those at the northern edge of field 'K'. Indeed it is only those polytunnels that are considered individually in themselves to be visually intrusive. Members will note that the scheme under consideration involves the voluntary removal of these lawful polytunnels, which the enforcement notice could not secure.
- 6.24 However, the current cumulative visual impact of the polytunnels at Haygrove Farm is also considered to be unacceptable when viewed from the Marcle Ridge. Whilst recognising that

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the polytunnels at Haygrove Farm are only one component in a much larger landscape (i.e. a much wider vista forming the foreground to the Malvern Hills Area of Outstanding Natural Beauty), it is still considered that their cumulative visual impact causes harm. They appear as a single mass, contrary to the diverse and varied pattern of fields, hedgerows and woods occupying the remainder of the vista. It was for this reason that the Enforcement Notice was served.

- 6.25 When one analyses Haygrove Farm from the Marcle Ridge, it can be conveniently broken down into four distinct landscape areas each running west to east:-

Area 1 – fields ‘F’, ‘G’, ‘H’ and ‘I’

Area 2 – fields ‘Z’, ‘J’, ‘K’ and ‘L’

Area 3 – fields ‘M’, ‘N’, ‘O’, ‘P’, ‘Q’, ‘R’, ‘S’, ‘T’ and ‘U’

Area 4 – fields ‘Y’, ‘X’, ‘W’ and ‘V’.

- 6.26 From the Marcle Ridge Area 4 is not readily visible due to the intervening Ast Wood. Area 1 is particularly intrusive as the land rises to the north and the full expanse of Areas 1, 2 and 3 are apparent as one views their full extent running towards the east.
- 6.27 This proposal attempts to mitigate that visual impact by removing selective polytunnels and introducing a comprehensive landscaping scheme for the entire site.
- 6.28 It is considered that the submitted landscape mitigation scheme is extremely well thought out. The approach has been to introduce planting belts running through the site in a north – south direction, following the historic field pattern, thus breaking up the mass of polytunnels upon the site when viewed from the south-west and west. Furthermore, the location of this planting has also been chosen to link existing landscaped areas, including areas of woodland, so that continuous corridors of planting are created. Such continuous corridors of planting not only have visual benefits, making the structure of the landscape dominant over the field-use, but also ecological benefits. Whilst the amount of polytunnel removal may appear minimal the width of a single polytunnel is approximately 7.8 metres, which if planted well can represent a significant landscape belt.
- 6.29 Therefore with regard Area 1 the visually intrusive lawful polytunnels towards the top of field ‘I’ would be removed and planting introduced. The visual impact of Area 1 would also be mitigated by extending the area of woodland to the south of field ‘G’ up the hill between fields ‘F’ and ‘G’ by removing existing polytunnels and planting woodland belts (WB1 and WB2). The visual impact of Area 1 would also be lessened by the introduction of woodland planting to the south of field ‘H’ (WB3) and the top of field ‘K’ (WB4) which also requires polytunnel removal.
- 6.30 Area 2 would be broken-up by the planting of a woodland belt (WB6) between fields ‘K’ and ‘L’. This necessitates polytunnel removal. In addition, a woodland belt (WB7) would be planted to the south of field ‘L’ and east of field ‘K’
- 6.31 The visual impact of landscape Area 3 would be broken-up by reinforcing two existing hedgerow lines between fields ‘P’ and ‘Q’ (H1) and ‘Q’ and ‘R’ (H2). The second of these hedgerow lines would link the remains of Haygrove Coppice, to the north, with Orling Coppice, to the south, reinforcing this philosophy of continuous belts and corridors of vegetation.
- 6.32 Additional planting is also proposed that not only contributes to the wider landscape impact but has been introduced in consideration of local residents who neighbour the site. To create greater separation from and soften any impact on Knapp Farmhouse and the neighbouring cottages a row of polytunnels is proposed to be removed from field ‘Z’ and a woodland belt planted (WB5). To create greater separation from and soften any impact on Pixley House a

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- row of polytunnels is proposed to be removed from field 'M' and a woodland belt (WB8) planted.
- 6.33 To break up the visual mass of landscape Area 4 from glimpses obtained from Falcon Lane, and in consideration of views expressed by the occupiers of 'Pear Tree Orchard' Falcon Lane, it is proposed to plant a woodland belt at the northern end of field 'X' and a woodland belt (WB10) at the north-eastern in the corner of field 'V'. It is worth noting that whilst this area of polytunnels rises to the south-west it is seen against the backdrop of Ast Wood, a dominant element of the landscape in this view, and as such its landscape impact is lessened.
- 6.34 The detail of the landscaping scheme itself, in terms of species chosen and density of planting, is considered to be of high quality and respectful of the local landscape character. It is fully recognised that indigenous planting will not have an immediate impact and that benefits will only accrue in the medium-term. However, it is considered that non-indigenous evergreen planting would be totally out of character with this landscape and be visually intrusive in its own right.
- 6.35 Thus it is considered that the landscape mitigation measures have been designed to break up the mass of tunnels, as seen from the wider landscape, whilst forming a continuous linear habitat of landscaping connecting Ast Wood in the south towards the site of the former Haygrove Coppice in the north, where a number of mature trees still exist, and west across higher parts of the site. The lines of proposed planting have been elected to reinstate and reinforce former field boundaries going some way to the restoration of the landscape.
- 6.36 To conclude upon this matter, whilst the areas of landscaping may not necessarily be described as extensive, it is considered that they are sufficient. The assessment of landscape impact and subsequent mitigation proposals have been produced in line with recognised best practice and a nationally recognised methodology. The location of polytunnel removal and landscaping proposed is well thought out consistent with a strategy of breaking up the negative cumulative visual impact of the polytunnels when viewed from long-distant vantage points to the south-west and west, by introducing landscape belts/corridors through the site in a north – south direction. The species of planting chosen is appropriate and of a high quality.
- 6.37 Therefore it is considered that the selective removal of polytunnels and landscaping proposed would mitigate the cumulative visual harm created by the existing and proposed development. As such the proposal is considered to comply with policy E13 (2) and LA2 of the Herefordshire Unitary Development Plan 2007 and satisfactorily addresses the issues of individual and cumulative impact identified in the Polytunnels Supplementary Planning Document by an appropriate mitigation strategy.
- 6.38 Local residents have raised the issue as to whether the Farm should be divided up into distinct landscape areas and then a limit of coverage placed upon each distinct landscape area. This was done in the case of Withers Farm and Siddington Farm and is advanced as an approach in the Polytunnels Supplementary Planning Document. However, that approach should not be regarded as a panacea or universally applicable. In this particular case the current management principles employed at the site have been to concentrate growing activity on the minimum amount of ground possible, concentrating the visual impact of the development, but minimising resource implications. The alternative of dispersing tunnels over a larger area of ground can be seen at other farms in the county. Given the limited but significant visibility of this site the Landscape Section consider the risk of greater visual impact from dispersal (possibly necessary to maintain a viable business model) very real and a relevant and material consideration. In this case the extent of the site can be understood as a single unit of landscape in which mitigation of visual harm is possible. Thus although the Supplementary Planning Document normally advocates a degree of dispersal of polytunnels across an area that allows for break of coverage, the topographical nature of this site – principally an

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introspective valley – suggests that a concentration of tunnels, with robust and connected landscaping between, may be appropriate.

Residential Amenity

- 6.39 In terms of residential amenity, no polytunnels would be sited within 30 metres of the boundary of any neighbouring residential curtilage or within 50 metres of any dwelling itself (whichever distance is the greater). As such it is considered that Guideline 9 of the Supplementary Planning Document is complied with and that occupiers of neighbouring dwellings would not suffer an undue loss of amenity by way of the polytunnel development. As such the proposal is also considered to comply with policy E13(3) of the Herefordshire Unitary Development Plan 2007.
- 6.40 It is not considered that noise from the polytunnels creates any loss of amenity to neighbouring residents.
- 6.41 Issues have been raised with regard to manufacturing and storage and distribution of polytunnels upon the wider site and the activity associated with temporary/seasonal workers caravans upon the wider site. However, these are not matters under consideration in determination of this application and will be dealt with under the auspices of other separate planning applications.

Ecology/Biodiversity

- 6.42 It is considered that the submitted ecological assessment of the site is satisfactory. The presence of a number of bio-diversity features and habitats on the site including veteran trees, hedgerows, open water and woodland is noted. The liaison between the ecological and landscape consultants has resulted in a range of ecological enhancement measures and associated management recommendations that are considered to be appropriate. An appropriate planning condition is recommended.
- 6.43 Therefore it is considered that the ecology related policies contained within the Herefordshire Unitary Development Plan 2007 (NC1, NC5, NC6, NC7 and NC9) are fully complied with.

Surface Water Drainage

- 6.44 The issue of surface water drainage is a complex matter that requires expert advice from the Environment Agency, especially relating to the issue of flood risk.
- 6.45 Run-off from the impermeable polytunnel covers is reduced by various measures, including intermediate grass strips, grassed leg rows, controlled drainage etc to promote infiltration and attenuation. These all form part of the Haygrove active management policy and serve to enhance water resources and to reduce flood risk.
- 6.46 Two watercourses, referred to as 'Haygrove North' and 'Haygrove South', flow through the farm with a combined catchment area of some 155 hectares at the downstream boundary. They join 'Pixley Brook' near Aylton.
- 6.47 Fruit crops are irrigated by pumping from three water bodies located on the farm. These are referred to as 'Top Pond' feeding directly to 'New Pond' on the 'Haygrove North' watercourse and 'Lakeside Lake' on the 'Haygrove South' watercourse. These are an essential water resource for Haygrove Farm.
- 6.48 There are some areas of polytunnel fields downstream of the ponds, especially on the 'Haygrove South' watercourse, that do not benefit from regulation.

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- 6.49 The most significant issue that has been raised with regard surface water drainage is that of flood risk. Priors Court was flooded in July 2007, a nationally severe event with an estimated return period well in excess of 100 years. The owners/occupiers of Priors Court together with their engaged 'Land Drainage and Flood Risk Consultant' are of the view that the polytunnel development under consideration increases flood risk.
- 6.50 The Consultant Hydrologist/Water Resources Engineer engaged by Haygrove has sought to rebut that view.
- 6.51 It is an area of great technical expertise. The Environment Agency has been fully consulted upon this issue and their final views are attached as **Annexe 2**.
- 6.52 No polytunnels are sited within a strip of land 5 metres wide adjacent to the top of any watercourse bank.
- 6.53 On a separate but related matter issues have been raised with regard the stability and safety of 'New Pond'. The Environment Agency have now classified this as a large raised reservoir, being that it has a capacity of 25,000m³. The applicant has not contested this classification, the detail of which can be secured separate to the planning process and this application. Potential issues and details will be controlled by the Environment Agency under the Reservoirs Act; including the instruction of a panel and safety engineer and the submission of a reservoir plan.
- 6.54 Given the views of the Environment Agency it is considered that the surface water drainage issue including matters related to flood risk can satisfactorily be dealt with by way of planning conditions.

Setting of Listed Buildings

- 6.55 There are two listed buildings in the immediate vicinity, Knapp Farmhouse and Pixley Church. The Conservation Section raises no objection.
- 6.56 It is not considered that any important view of these buildings and their curtilages is disrupted by the polytunnels. Views of Knapp Farmhouse from the public footpath to the east are screened by planting. There is also an intervening paddock between Haygrove Farm and the Farmhouse itself. One's only real view of the house is obtained from its driveway entrance.
- 6.57 With regard Pixley Church, its setting is maintained and is still appreciated when progressing from public footpath PX1 when it leaves Haygrove Farm in the vicinity of Knapp Farm to the Church itself.
- 6.58 Therefore it is considered that the proposals would not adversely affect the setting of any listed building and that there would be no conflict with policy HBA4 of the Herefordshire Unitary Development Plan 2007.

Highway Matters

- 6.59 The views of the Transportation Section are reported earlier within this report. They consider that the traffic generated by the polytunnel development itself can be satisfactorily catered for upon the existing highway network and the vehicular means of accesses onto that network at both Falcon Lane and the A4172 are safe.
- 6.60 Transportation issues have been raised with regard manufacturing and storage and distribution of polytunnels upon the wider site and the activity associated with

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temporary/seasonal workers caravans upon the wider site. However, these are not matters under consideration in determination of this application and will be dealt with under the auspices of other separate planning applications.

Tourism

- 6.61 Whilst the erection of polytunnels is a controversial issue within Herefordshire, proportionally little of the land is covered by them. Having previously liaised with the Tourism Section when dealing with other applications and during the production of the Supplementary Planning Guidance, there is no evidence to support the view that the growth of polytunnels has led to a decline in tourists staying within the County and visiting its attractions. Indeed, in this particular instance occupancy rates at the nearby Woodside Lodges accommodation in Falcon Lane appear to have been unaffected by the recent polytunnel developments at Haygrove Farm. Indeed the amount of accommodation provided upon this site has increased in the recent past, presumably to meet demand.

Other Matters

- 6.62 When dealing with a new such business it would normally be preferable to deal with the polytunnels and any required workers accommodation at the same time. In this case the matters are retrospective. It is considered appropriate to resolve the polytunnels issue first. Clearly there is a link between the amount of polytunnel coverage and the number of seasonal/temporary workers required. It would be inappropriate to deal with workers accommodation in advance of the polytunnels as one could permit more accommodation for workers than is reasonably required. However, dealing with the polytunnels in this instance first would not be problematic. Furthermore it would not prejudice any subsequent application for the on-site workers accommodation. The applicant should not assume that in the event of planning permission being granted for these polytunnels that any subsequent application for workers accommodation would be successful.

7 Conclusion

- 7.1 It is recognised that the provisions of polytunnels upon the site creates benefits to the local rural economy. Whilst the existing development causes visual harm to the landscape due to cumulative impact of both the lawful and unlawful polytunnels, the proposal to selectively remove polytunnels and provide a comprehensive landscaping scheme for the entire site is considered to mitigate that harm. It is not considered that there are any other environmental reasons to justify refusal of the application. As such the application is recommended for conditional approval.
- 7.2 It must be stressed that it is not being stated that the development has an adverse cumulative visual impact that cannot be satisfactorily mitigated and that matter is being overridden by economic considerations. It is argued that the landscape harm would be satisfactorily mitigated by the selective removal of the polytunnels together with the comprehensive landscaping scheme and that in addition, but separately, economic benefits accrue.

RECOMMENDATION

That FULL PLANNING PERMISSION BE GRANTED subject to the following conditions:

- 1. All of the polytunnels shown upon the approved documents to be removed, other than those at the western end of field 'L' shall be removed prior to February 2010.**

Reason: To ensure that the cumulative visual impact of the polytunnels upon the

Further information on the subject of this report is available from Mr R Close on 01432 261803

site is satisfactorily mitigated in accordance with policy LA2 of the Herefordshire Unitary Development Plan 2007.

2. All of the landscaping shown upon the approved documents, other than woodland belt 6 at the western end of field 'L', shall be fully implemented prior to 1 April 2010. Any trees or plants which prior to 1 April 2020 die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: To ensure that the development hereby permitted is satisfactorily integrated into the landscape in accordance with policy LA2 of the Herefordshire Unitary Development Plan 2007.

3. The polytunnels shown to be removed from the western end of field 'L' shall be removed prior to 31 December 2015.

Reason: To ensure that the cumulative visual impact of the polytunnels upon the site is satisfactorily mitigated in accordance with policy LA2 of the Herefordshire Unitary Development Plan 2007.

4. The approved planting (i.e. woodland belt 6) at the western end of field 'L' shall be fully implemented prior to 1st April 2016. Any trees or plants which prior to 1st April 2026 die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: To ensure that the development hereby permitted is satisfactorily integrated into the landscape in accordance with policy LA2 of the Herefordshire Unitary Development Plan 2007.

5. All existing trees and hedgerows upon the land shall be retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development hereby permitted is satisfactorily integrated into the landscape in accordance with policy LA2 of the Herefordshire Unitary Development Plan 2007.

6. In the event of the polytunnels hereby permitted becoming redundant for the growing of soft fruit upon the application site, the polytunnels which includes the supporting structures shall be removed from the application site within a period of twelve months.

Reason: To ensure that the development hereby permitted is satisfactorily integrated into the landscape in accordance with policy LA2 of the Herefordshire Unitary Development Plan 2007.

7. None of the polytunnels hereby permitted shall be covered in polythene from 15 November until 31 December in any calendar year nor during the month of January in any calendar year, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the majority of the polytunnels hereby permitted are not covered in polythene outside of the growing periods thus ensuring that the cumulative visual impact is lessened, in accordance with policy LA2 of the Herefordshire Unitary Development Plan 2007.

8. The recommendations for habitats, protected species and habitat management set out in the ecologist's submitted reports (as amended) shall be fully implemented and followed unless otherwise agreed in writing by the Local Planning Authority. The approved management scheme shall be implemented in full accordance with the stated timescales and maintained thereafter.

An appropriately qualified and ecological clerk of works shall be appointed (or consultant engaged in that capacity) to oversee the ecological mitigation and enhancement works.

Reasons:-

- A) To ensure that all species are protected having regard to the Wildlife and Countryside Act 1981 (as amended), the Conservation (Natural Habitats, & C) Regulations 1994 (as amended) and policies NC1, NC5, NVC6, and NC7 of the Herefordshire Unitary Development Plan 2007;
- B) To comply with Herefordshire Council's Unitary Development Plan policies NC8 and NC9 in relation to Nature Conservation and Bio-Diversity and to meet the requirements of Planning Policy Statement 9 'Biodiversity and Geological Conservation' and the NERC Act 2006;
9. Prior to 1 February 2010 a scheme for the physical demarcation of bridleway AL7 from the polytunnels and associated activity in field 'Y' to the north shall be submitted to the Local Planning Authority for their written approval. An approved scheme must be obtained from the Local Planning Authority by 1st March 2010 at the latest and the approved scheme must be fully implemented prior to 1st April 2010.

Reason: To protect the bridleway from surface damage caused by vehicle movements and other activities associated with the polytunnel developments ensuring enjoyment of the bridleway in accordance policy T6 of the Herefordshire Unitary Development Plan 2007.

10. Prior to 1 February 2010 a Flood Management Plan shall be submitted to the Local Planning Authority for their written approval. The developer must secure the approval of such a Flood Management Plan from the Local Planning Authority prior to 1 April 2010. The Flood Management Plan shall include the passive and active intervention measures set out in the Flood Risk Assessment to minimise the impacts of the development on flood risk. The approved Flood Management Plan shall be implemented from the date of its approval and shall remain operational for as long as the polytunnels hereby permitted remain upon the land.

Reason: To prevent any increase in flooding and to comply with the Water Management Audit – Appendix #3 (Report 2098-A#3) dated October 2009 and to accord with policy DR7 of the Herefordshire Unitary Development Plan 2007.

11. The surface water mitigation measures outlined in the Water Management Audit – Appendix#3 (Report 2098-A#3) dated October 2009 must be fully implemented prior to 1 June 2010 and thereafter maintained to the satisfaction of the Local Planning Authority.

Reason: To prevent any increase in flood risk as a result of increased surface water run-off and to accord with policy DR7 of the Herefordshire Unitary Development Plan 2007.

Further information on the subject of this report is available from Mr R Close on 01432 261803

INFORMATIVES:

1 The reasons for granting planning permission in respect of the development are:-

“It is recognised that the provisions of polytunnels upon the site creates benefits to the local rural economy. Whilst the existing development causes visual harm to the landscape due to cumulative impact of both the lawful and unlawful polytunnels, the proposal to selectively remove polytunnels and provide a comprehensive landscaping scheme for the entire site is considered to mitigate that harm. It is not considered that there are any other environmental reasons to justify refusal of the application. As such the application is recommended for conditional approval. In forming this conclusion the Local Planning Authority have had full regard to the relevant Central Government advice, Regional Planning Guidance, the provisions of the Herefordshire Unitary Development Plan 2007 as a whole and the guidance contained within Herefordshire Council’s ‘Polytunnels Supplementary Planning Document’

2 N11A Wildlife and Countryside Act 1981 (as amended) - Birds

3 N11C General

4 N19 Avoidance of doubt - Approved Plans

5 The applicant is advised to engage the services of a suitably qualified landscape consultant to supervise the implementation of the landscaping and its subsequent maintenance.

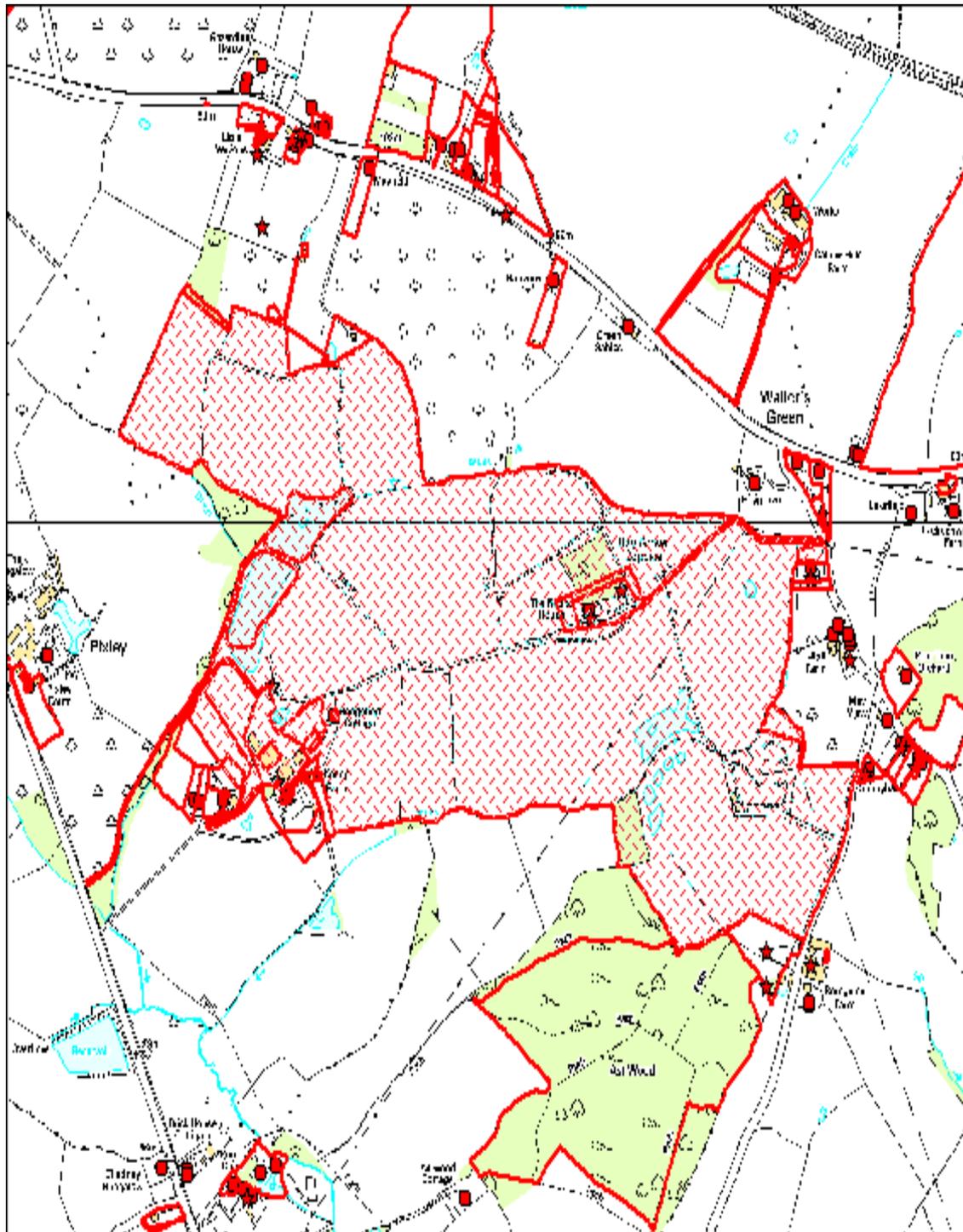
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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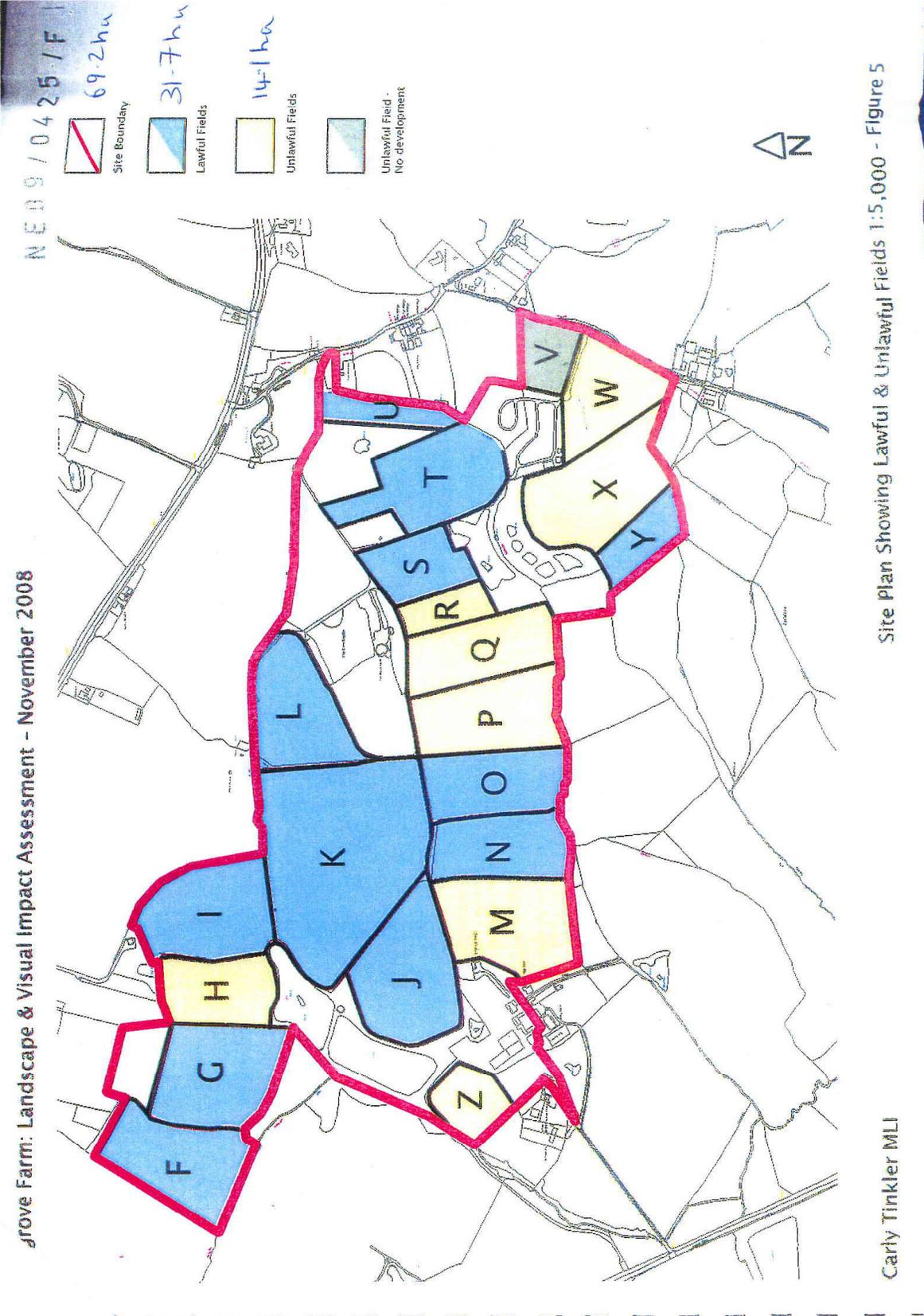
APPLICATION NO: DCNE2009/0425/F DMNE/090470/F

SITE ADDRESS : HAYGROVE FARM, FALCON LANE, LEDBURY, HEREFORDSHIRE, HR8 2PY

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ANNEXE 1



Grove Farm: Landscape & Visual Impact Assessment - November 2008

ANNEXE 2

creating a better place



Herefordshire Council
Northern Division
PO Box 230
Hereford
Herefordshire
HR1 2ZB

Our ref: SV/2009/103255/04-L01
Your ref: NE2009/0425/F
Date: 10 November 2009

F.A.O: Mr. R Close

Dear Sir

FURTHER INFORMATION RELATING TO AMENDED PLANS (JUNE 2009) FOR RETENTION OF POLYTUNNELS UPON FIELDS H, M, P, Q, R, W, X AND Z TOGETHER WITH THE PARTIAL REMOVAL OF POLYTUNNELS FROM FIELDS F, G, I, K, L, M, Q, X AND Z AND A COMPREHENSIVE LANDSCAPING SCHEME FOR THE ENTIRE SITE AT HAYGROVE FARM, FALCON LANE, LEDBURY, HEREFORDSHIRE, HR8 2PY

Thank you for submitting further information relating to the above development. Having reviewed the submitted information we are now in a position to remove our objection to the proposals and offer a conditioned response as follows:

Flood Risk: A detailed study of the impacts of run-off for both summer, winter and wet summer events has been undertaken as a result of the proposed polytunnels (*Water Management Audit – Addendum #3, ref 2098-A#3, dated October 2009*). The report has looked at the site in terms of the proposed development, along with considering the impact of development that has occurred since the site was rural. Climate change has been considered in this assessment.

The assessment has identified a number of measures to reduce any increase in run-off from the site. Some of these measures will require human intervention, and the assessment has looked at the impacts on run-off both including and excluding these measures.

We would strongly recommend that the Local Authority include a condition for a flood management plan, which will require operators of the site to remain vigilant and take reasonable steps to reduce levels in the ponds in the event of heavy rainfall warning been issued by the Met Office.

In summary the information provided has shown that during Winter rainfall events and wet Summer events that there is no increase in run-off from the site. The only

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rainfall event, where there is an increase in run-off is during a dry summer event, which causes a small 3% increase in run-off from the site. The applicants proposes to mitigate this by lowering water levels in the ponds by 0.5 metres which, providing this is undertaken in advance of any heavy rain, would provide some mitigation for this.

In order to understand how sensitive the watercourse channel is to changes in flow some basic calculations have been undertaken (Manning's equation), looking at the gradient of the channel, the channel roughness and making an assumption on the channel capacity. It should be noted that this is not based on detailed survey data, but the results are useful in terms of putting into context how the watercourse reacts to a change in flow, and it is estimated that levels would only increase minimally by 6mm as a result of a 3% increase in flows in the normal summer event, and this is assuming that none of the active intervention measures are undertaken.

The Agency therefore has no objections to the proposed development and would recommend that the Local Planning Authority include a condition on having a flood management plan to deal with active intervention measures. The mitigation measures need to be in place before the polytunnels are constructed, which should also be dealt with by conditions.

Condition: A Flood Management Plan should be approved by the Local Authority prior to works commencing on site. The Flood Management Plan should include the passive and active intervention measures as set out in the Flood Risk Assessment to minimise the impacts of the development on flood risk.

Reason: To prevent any increase in flooding and to comply with the Flood Risk Assessment (*Report 2098-A#3, dated October 2009*).

Condition: The surface water mitigation measures outlined in the Flood Risk Assessment (*Report 2098-A#3, dated October 2009*) must be constructed prior to the construction of any polytunnels or hardstanding areas. It may be that a phased approach could be acceptable but this would require prior approval of the Planning Authority.

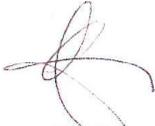
Reason: To prevent any increase in flood risk as a result of increased surface water run-off.

Recommendation: It is recommended that a strip of land 5 metres wide adjacent to the top of the watercourse bank is left clear of all buildings, structures, fences and trees to facilitate access, essential maintenance and possible future improvements. Ground levels should not be raised within this area.

New Pool: It has been confirmed that 'New Pool' is to be classified as a large raised reservoir being that it has a capacity of just over 25,000m³. The applicant has not contested this classification, the detail of which can be secured separate to the planning process and this application. Potential issues and details will be secured and controlled by ourselves under the Reservoirs Act; including the instruction of a panel and safety engineer and the submission of a reservoir plan.

Cont/d..

Yours faithfully



Mr. Graeme Irwin
Senior Planning Officer
Direct dial: 01743 283579
Direct e-mail: graeme.irwin@environment-agency.gov.uk

cc Haygrove Ltd.



End

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