

MEETING:	PLANNING AND REGULATORY COMMITTEE
DATE:	14 MARCH 2018
TITLE OF REPORT:	<p>173477 - PROPOSED ERECTION OF AGRICULTURAL BUILDINGS, ASSOCIATED INFRASTRUCTURE AND LANDSCAPING TO SUPPORT A NEW AGRICULTURAL ENTERPRISE AT LAND TO THE WEST OF THE NOGGIN FARM, MUCH MARCLE, HEREFORDSHIRE</p> <p>For: Mr Boulton-Brooks per Mr Matthew Tucker, Embassy House, Queens Avenue, Bristol, BS8 1SB</p>
WEBSITE LINK:	https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=173477&search=173477
Reason Application submitted to Committee – Member redirection	

Date Received: 14 September 2017 **Ward: Old Gore** **Grid Ref: 363358,234212**
Expiry Date: 13 November 2017
Local Member: Councillor BA Durkin

1. Site Description and Proposal

- 1.1 The site is located in open countryside opposite The Noggin and its historic farm complex, which is under separate ownership. The application site is an agricultural field and part of the applicants' wider land holding within the area. The field is relatively well contained with existing hedgerows and trees. The site is bound by well established vegetation and some mature trees to the west and east, with an existing access to the east of the site. The north boundary of the site is open agricultural land. The location is very elevated, sitting on or below Marcle Ridge, with various points along the highway and public rights of way offering dramatic expansive views towards Ledbury, the Malvern Hills Area of Outstanding Natural Beauty (MHAONB).
- 1.2 Marcle Ridge and the Three Choirs Way right of way, is approximately 250 metres to the west. There are two fields that lie between the bridle path and the application site that are also part of the applicant's land holding. A mature boundary hedge separating the two fields obscures views of the application site from the Three Choirs Way.
- 1.3 The site is not within or immediately adjoining an Area of Outstanding Natural Beauty, however there is inter-visibility between the general location and MHAONB as identified above. The site itself is not visible from the MHAONB due to intervening buildings, topography and vegetation.
- 1.4 There are no heritage designations on or adjoining the site.

- 1.5 The surrounding land is predominantly in agricultural use. The application site can be considered to be in an isolated location with only The Noggin and a dwelling Messcott to the north, within 250 metres. Messcott is located 150 metres to the north of the nearest proposed agricultural building, The Noggin around 70 metres to the east. The wider site borders Marcle Ridge and falls from west to east towards the small hamlet of Rushall. The hamlets of Little Hill and Hill End lie to the northern extent of the applicant's land and Firs Farm lies to the south.
- 1.6 The proposal is for the erection of agricultural buildings; associated infrastructure and landscaping to support a new agricultural enterprise. These buildings and infrastructure form the basis of the new business and requirement for the dwelling under consideration.
- 1.7 Members attention is drawn to the parallel application 173476 for the proposed erection of a temporary agricultural workers dwelling with associated parking and residential curtilage.

2. Policies

2.1 Herefordshire Local Plan Core Strategy

- SS1 - Presumption in Favour of Sustainable Development
- SS4 - Movement and Transportation
- SS5 - Employment Provision
- SS6 - Environmental Quality and Local Distinctiveness
- RA4 - Agricultural, Forestry and Rural Enterprise Dwellings
- RA6 - Rural Economy
- MT1 - Traffic Management, Highway Safety and Promoting Active Travel
- LD1 - Landscape and Townscape
- LD2 - Biodiversity and Geodiversity
- LD3 - Green Infrastructure
- SD1 - Sustainable Design and Energy Efficiency
- SD2 - Renewable and Low Carbon Energy
- SD3 - Sustainable Water Management and Water Resources
- SD4 - Waste Water Treatment and River Water Quality

2.2 Neighbourhood Plans

The site is located within the Much Marcle Neighbourhood area. The Neighbourhood Development Plan is at the examination stage. The Neighbourhood area was designated on 11 September 2013, Regulation 14 draft plan submitted on 4 November 2016 and Regulation 16 plan submitted on 21 December 2017. The Neighbourhood Development Plan was sent for examination on 27 February 2018.

The following policies are of particular relevance:

- Policy SD1 - Sustainable Development
- Objective MM06 - Value and Support Agriculture as an Integral Part of our Community
- Policy EM1 - Employment and Economy
- Policy NE1 - Landscape

2.3 National Planning Policy Framework

The following chapters are of particular relevance:

Achieving Sustainable Development

1. Building a Strong, Competitive Economy
3. Supporting a Prosperous Rural Economy
4. Promoting Sustainable Transport
7. Requiring Good Design
11. Conserving and Enhancing the Natural Environment

2.4 The Core Strategy policies together with any relevant supplementary planning documentation can be viewed on the Council's website by using the following link:

https://www.herefordshire.gov.uk/info/200185/local_plan/137/adopted_core_strategy

3. **Planning History**

3.1 162797 – Proposed erection of agricultural buildings and supporting infrastructure. Withdrawn.

162798 – Proposed erection of temporary agricultural workers dwelling with associated parking and residential curtilage. Withdrawn.

The above planning applications on adjoining land were withdrawn on 21 November 2016 primarily for reasons of their adverse landscape impact.

4. **Consultation Summary**

Statutory Consultations

4.1 Natural England has no comments to make on this application, stating *you may wish to consult your own ecology services for advice and The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment.*

Internal Council Consultations

4.2 The Transportation Manager states the proposal is acceptable, subject to a number of conditions and informatives. *These are attached to the recommendation, below.*

4.3 The Conservation Manager (Ecology), has no objection, commenting: Thank you for consulting me on this application. I have read the ecological report from EDP and would agree with the conclusions. There is mitigation and enhancement to be implemented and to ensure this I recommend a number of conditions. *These are attached to the recommendation, below.*

4.4 The Conservation Manager (Landscapes) comments I have read the Landscape and Visual Appraisal as well as the Tree Report and I am satisfied that whilst there will be some impact upon local landscape character in terms of minor cut and fill for the agricultural units as well as a small amount of hedgerow and tree loss the overall impact will not be significant.

In terms of visual effects whilst the proposal is located upon rising ground, views from the Malvern Hills AONB will be seen in the context of other local farmsteads and obscured from the Wye Valley AONB by landform. The trails upon the ridgeline are sensitive and there will be views however the proposal is not incongruous with the existing pattern of the landscape and extensive mitigation is proposed which is in line with the character type.

I would therefore recommend a condition be applied in respect of the detail of the landscaping proposed and its management for a period of 10 years.

- 4.5 The Conservation Manager (Arboriculture) comments I have visited the site and read the submitted tree report. I am satisfied that that the correct provisions have been provided to mitigate potential impacts on the two mature Ash trees located adjacent to the proposed access road. I would suggest that some remedial work might be required to raise the height of the canopy of these two trees over the access road to prevent high sided vehicles coming into contact with lower braches.

The trees and part of the hedge to be removed for the site access will be mitigated with the new planting.

- 4.6 The Public Rights of Way Manager has no objection.

- 4.7 The County Land Agent supports the application. He comments: *In my opinion the proposals should produce an efficient small/medium size mixed farm enterprise in 3 years time capable of sustaining a long term farming business. It has to be accepted that the return on capital will be minimal and that the long term future of small/medium sized mixed farms looks very challenging.*

The proposal for the farm to be a starter farm for a young farmer(s) is very welcome and the applicants are likely to be of a very high quality, such opportunities are few and far between.

In my opinion the proposals have every chance of success.

- 4.8 The Drainage Manager comments they have no objections in principle to the proposed development. However, prior to granting planning permission, we recommend that the applicant confirms the management of any contaminated washdown water from the livestock and sheep buildings.

Should the Council be minded to grant planning permission, it is recommended that the Applicant submits the information requested above along with further drainage information in a suitably worded planning condition. *This is attached to the recommendation below.*

5. Representations

- 5.1 Much Marcle Parish Council objects to the application for the following reasons:

- Temporary dwelling not temporary a pre-cursor for a permanent dwelling
- Outside the settlement boundary
- Need not proven
- The impact on Marcle Ridge, which is within the Wye Valley AONB
- Run off from the site into the stream, a priority habitat, then into the River Leadon which is a Nitrate Vulnerable zone
- The Impact on the amenities and the bore hole, which is the only source of fresh water, to the neighbouring properties
- Increase of flooding problem, which will be within 20 metres of the borehole

5.2 Ten letters of objection have been received, comments are summarised as:

- The landowner also owns a Woolhope farm at Bent Orchards SO 618368 and a farmstead at Canwood 612368 – a new greenfield development approved a few years ago on the basis of ag business need, including the servicing of land in Marcle parish.
- Concern regarding increased traffic on the local rural road network
- Impact on adjoining amenity
- Noise and light nuisance
- Impact on character and appearance of the area
- Conflict with Core Strategy policies SD1, SD3 and RA6
- Impact on property values
- Impact on water supplies and quality
- Impact on wildlife
- Adverse landscape impact
- Concern regarding surface water run off and flooding
- Arable farming, not livestock is practiced hereabouts
- No business case for the proposal
- Upper Greens Place, owned by the applicant and adjacent to his land would make a much more suitable location. The site is only 250 meters to the North of the proposed site. This would be a preferable location as the agricultural workers dwelling already exists.

5.3 The consultation responses can be viewed on the Council's website by using the following link:

https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=173476&search=173476

Internet access is available at the Council's Customer Service Centres:

<https://www.herefordshire.gov.uk/government-citizens-and-rights/customer-services-enquiries/contact-details?q=customer&type=suggestedpage>

6. Officer's Appraisal

6.1 Core Strategy Policy RA6 is in principle supportive of development proposals that enable the County's regeneration of its economic base, of which agriculture and farming is an important part. The policy criteria support and strengthen local food and drink production and the retention and/ or diversification of existing agricultural businesses.

6.2 Policy SD1 requires development proposals, as relevant to the proposal, should:

- new buildings should be designed to maintain local distinctiveness through incorporating local architectural detailing and materials and respecting scale, height, proportions and massing of surrounding development. while making a positive contribution to the architectural diversity and character of the area including, where appropriate, through innovative design;
- safeguard residential amenity for existing and proposed residents;
- ensure new development does not contribute to, or suffer from, adverse impacts arising from noise, light or air contamination, land instability or cause ground water pollution

6.3 The proposal includes the erection of two agricultural buildings for the purposes of cattle, sheep and fodder storage for a new agricultural business. The larger livestock building measures 42 x 27.5 metres in plan with height to ridge of 9.8 metres, with the sheep building measuring 24 x 12 metres in plan with height to ridge of 7.22 metres. These buildings will be finished with a mixture of vertical shiplap timber boarding and concrete panels set under a metal profile roof, materials which are typical of agricultural buildings in the locality.

- 6.4 A degree of ground engineering works will be required to ensure that the two buildings are set on level ground respectively. The proposal includes an element of hardstanding for the two buildings of a sufficient size to aid circulation and facilitate movement of farm and delivery the largest known farm vehicles that would visit the site. Landscape planting is also proposed to mitigate the development.
- 6.5 The landholding which relates to the proposal was purchased from two neighbouring holdings, The Noggin and Hill End. In total, it extends to some 300 acres located to the west of Much Marcle. The land has been purchased without any farm buildings or residential properties.
- 6.6 The intention is for a standalone farming unit that will run a mixed farming system. The enterprises will include 300 breeding ewes plus lambs that will be finished as fat lambs; a calf rearing enterprise selling to an established marketing company such as Meadow Quality or Blade Farming and a combinable crops enterprise. As far as possible the farm will be self sufficient in terms of animal feed production. The objectives for this business are:
1. To run a profitable and sustainable mixed farming enterprise
 2. To generate value for all partners involved
 3. To help young entrants into agriculture
- 6.7 The principal arable crops will continue to be wheat and oilseed rape. Forage crops will include grass, maize and stubble turnips to be utilised by the livestock enterprises, with maize silage being used as winter forage for the beef enterprise.
- 6.8 A mixed system has been proposed as the most viable option for the business, with suggested benefits including:
- Farm Yard Manure from housing the cattle and sheep (during lambing) can be used on the arable land to add back organic matter and nutrients to the soil.
 - Mixed grazing of cattle and sheep will improve sward quality and will also help to reduce potential health risks and worm burden.
 - The arable operation will provide straw for the livestock operation.
 - A mixed farming system will help to spread the financial risk over a number of enterprises.
 - Buildings will be fully utilised (general purpose agricultural building to be used for grain storage post-harvest and by sheep in the run up to and during lambing).
- 6.9 The sheep flock will consist of approximately 300 breeding ewes, chosen for their relatively high prolificacy and easy care characteristics. The proposal is to graze the flock on some of the grass area with cattle grazing the rest of the grass. Ewes will be scanned in January each year and those scanned with twins or more will be lambed indoors, with singles lambing outdoors. Lambs will be fattened on stubble turnips and sold as finished lambs.
- 6.10 With regards to the beef enterprise, the proposal is for a calf rearing enterprise to be established. The models researched include Blade Farming and Meadow Quality. This requires the business to take in batches of seven day old calves and rear them up to 12 weeks (allowing up to 4 batches per year). Further options under consideration are to take the calves on to approximately 18 months of age and sell as fat cattle and to retain some of the females for breeding if they were deemed to be of good enough quality to establish a suckler herd. The enterprise will be farm assured for both beef and sheep.
- 6.11 Policy LD1 requires proposals to demonstrate that character of the landscape has positively influenced the design, scale, nature and site selection, protection and enhancement of the setting of the wider area. The policy requires proposals –
- demonstrate that character of the landscape and townscape has positively influenced the design, scale, nature and site selection, protection and enhancement of the setting of settlements and designated areas;

- conserve and enhance the natural, historic and scenic beauty of important landscapes and features, including Areas of Outstanding Natural Beauty, nationally and locally designated parks and gardens and conservation areas; through the protection of the area's character and by enabling appropriate uses, design and management;
- incorporate new landscape schemes and their management to ensure development integrates appropriately into its surroundings; and
- maintain and extend tree cover where important to amenity, through the retention of important trees, appropriate replacement of trees lost through development and new planting to support green infrastructure.

6.12 The application is accompanied with an assessment of alternative sites, a Landscape and Visual Impact Assessment and landscaping plan.

6.13 The landscape mitigation plan for the overall development under this and the parallel application 173476 includes the creation of a new hedgerow to the south of the proposed access road and additional planting to the west of the existing livestock building which, combined, provide a landscape block reminiscent of the surrounding historic landscape character. An additional copse is to be planted to the north proposed sheep building and temporary agricultural workers dwelling to provide screening and preserve and enhance the amenity of the neighbouring residential property, Messcott which is located over 150 metres away to the North. This, combined with location of existing mature trees and vegetation, supplemented by additional hedgerow planting to the south of the access road, results in the temporary agricultural workers dwelling being largely screened from public views from the unclassified road to the east and more broad reaching public views further afield. Appropriate conditions ensure the implementation, retention and management of the landscaping. As such it is considered policy LD1 is satisfied.

6.14 In landscape terms, it is considered this proposal and that under consideration pursuant to 173476 is preferable and more readily assimilated into the landscape than development at and around Upper Greens Place would be, given the relative exposed nature and greater visibility of that location, including from the Three Choirs Way and Marcle Ridge. It is also considered, albeit marginally, that the proposed site is preferable on highway grounds as it has better connectivity to the main and strategic road network.

6.17 The objections raised by third parties are noted but having regard to the lack of objection from technical consultees and the ability to control and mitigate the impact of the development through conditions attached to the recommendation, it is considered that the proposal is worthy of support. Given intervening distances, mitigation and existing land uses hereabouts, it is considered there is no adverse impact on adjoining dwellings justifying refusal. With regards to drainage, the Council's drainage engineers are satisfied approval can be granted subject to a pre-commencement condition securing appropriate technical evidence and details to mitigate the development, as such policies SD3 and SD4 are satisfied. As such on the basis of the assessment set out above, approval is recommended.

RECOMMENDATION

That planning permission be granted subject to the following conditions and any other further conditions considered necessary by officers named in the scheme of delegation to officers:

1. **A01 - Time limit for Commencement (Full Permission)**
2. **B02 - Development in Accordance with Approved Plans and Materials**
3. **H03 - Visibility Splays**
4. **H09 - Driveway Gradient**

5. **H06 - Vehicular Access Construction**
6. **H13 - Access, Turning Area and Parking**
7. **H20 - Road Completion in 2 Years**
8. **H27 - Parking for Site Operatives**
9. **H29 - Secure Covered Cycle Parking Provision**
10. **The recommendations for species mitigation and habitat enhancements set out in the ecologist's report from EDP dated August 2017 should be followed unless otherwise agreed in writing by the local planning authority. A working method statement for protected species together with an enhancement plan integrated with the landscape scheme should be submitted to the local planning authority in writing. The plan shall be implemented as approved.**

Reason: To ensure that all species are protected having regard to the Wildlife and Countryside Act 1981 (with amendments and as supplemented by the Countryside and Rights of Way Act 2000), the Natural Environment and Rural Communities Act 2006 and the Conservation of Habitats and Species Regulations 2010 (and 2012 amendment) and to comply Herefordshire Council's Policies LD2 Biodiversity and Geodiversity, LD3 Green Infrastructure of the Herefordshire Local Plan Core Strategy 2013 – 2031 and to meet the requirements of the National Planning Policy Framework (NPPF).

11. **An appropriately qualified and experienced ecological clerk of works should be appointed (or consultant engaged in that capacity) to oversee the ecological mitigation work.**

Reason: To ensure that all species are protected having regard to the Wildlife and Countryside Act 1981 (with amendments and as supplemented by the Countryside and Rights of Way Act 2000), the Natural Environment and Rural Communities Act 2006 and the Conservation of Habitats and Species Regulations 2010 (and 2012 amendment) and to comply Herefordshire Council's Policies LD2 Biodiversity and Geodiversity, LD3 Green Infrastructure of the Herefordshire Local Plan Core Strategy 2013 – 2031 and to meet the requirements of the National Planning Policy Framework (NPPF).

12. **F13 - Restriction on Separate Sale**
13. **G02 - Retention of Trees and Hedgerows**
14. **G04 - Protection of Trees/Hedgerows that are to be Retained**
15. **G10 - Landscaping Scheme**
16. **G11 - Landscaping Scheme – Implementation**
17. **I32 - Details of Floodlighting/External Lighting**
18. **Pre commencement drainage condition requiring and securing:**
 - **Detailed construction drawings that demonstrate the inclusion of SuDS,**

- where appropriate, and location and size of key drainage features;
- Detailed construction drawings of proposed features such as attenuation features and outfall structures;
- Amended calculations of the proposed discharges rates and attenuation volumes using FEH 2013 data;
- If unlined attenuation features are proposed, confirmation of groundwater levels to demonstrate that the invert level can be located a minimum of 1m above groundwater levels;
- Assessment of potential failure of above-ground attenuation features, including assessment of residual risks to downstream receptors, and proposed mitigation and management measures;
- Details of how overland flows from outside of the site boundary have influenced the design of the drainage system;
- Detailed drawing demonstrating the management of surface water runoff during events that may temporarily exceed the capacity of the drainage system;
- Detailed construction drawings of the foul water drainage strategy showing how foul water from the development will be disposed of and illustrating the location of key drainage features;
- Infiltration rates at the location(s) and proposed depth(s) of any proposed foul water drainage fields, undertaken in accordance with BS6297 and Building Regulations Part H;
- If infiltration to ground is proposed, confirmation of groundwater levels to demonstrate that the invert level of any drainage fields can be located a minimum of 1m above groundwater levels;
- Detailed calculations of proposed infiltration features informed by the results of infiltration testing;
- Demonstration that appropriate access is available to maintain drainage features;
- Completed application for Ordinary Watercourse Consent for any proposed structures within an ordinary watercourse or works within 8m of an ordinary watercourse.
- Details of management of any contaminated washdown water from the livestock and sheep buildings.

Reason: To ensure adequate drainage arrangements are in place and to protect and prevent pollution and to comply with Herefordshire Core Strategy policies RA6, SD3 and SD4.

INFORMATIVES:

1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations, including any representations that have been received. It has subsequently determined to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
2. **HN01 - Mud on Highway**
3. **HN04 - Private Apparatus within Highway**
4. **HN05 - Works Within the Highway**
5. **HN10 - No Drainage to Discharge to Highway**
6. **HN24 - Drainage Other than via Highway System**

Further information on the subject of this report is available from Mr C Brace on 01432 261947

7. HN28 - Highways Design Guide and Specification

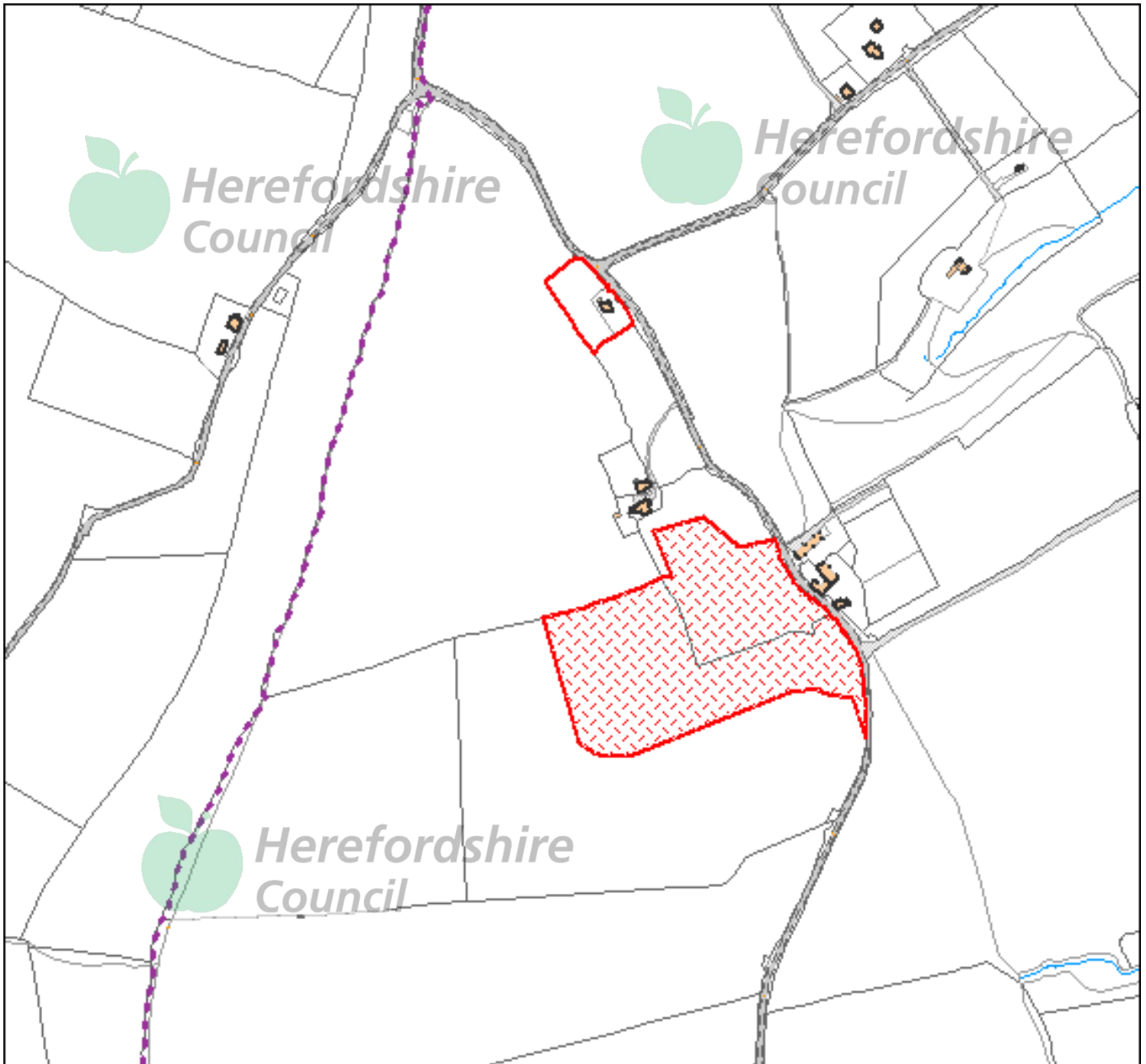
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: 173477

SITE ADDRESS : LAND TO THE WEST OF THE NOGGIN FARM, MUCH MARCLE, HEREFORDSHIRE

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