

MEETING:	PLANNING AND REGULATORY COMMITTEE
DATE:	23 January 2019
TITLE OF REPORT:	182347 - PROPOSED CHANGE OF USE OF AGRICULTURAL BUILDINGS TO PROVIDE TWO UNITS OF FARM MANAGERS ACCOMMODATION, RESIDENTIAL CURTILAGE AND PARKING AT LODGE FARM, MONKTON FARM LANE, OCLE PYCHARD, HR1 3QQ For: Mr Leeds per Mr Phil Plant, Offley House, 18 Church Street, Shifnal, TF11 9AA
WEBSITE LINK:	https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=182347&search=182347
Reason Application submitted to Committee – Re-direction	

Date Received: 25 June 2018

Ward: Three Crosses

Grid Ref: 357733,245764

Expiry Date: 26 November 2018

Local Members: Cllr Jonathan G Lester

1. Site Description and Proposal

- 1.1 The application is a full planning application for the conversion of two agricultural buildings to provide two, two bedroomed units of residential accommodation at Lodge Farm in Ocle Pychard.
- 1.2 Lodge Farm is part of a wider site at Ocle Pychard, which is farmed by the applicant as part of Withers Fruit Farm Ltd which specialises in the production of soft fruit. The applicant has recently purchased the site in Ocle Pychard, which consist of Lodge Farm and Highway Farm with the intention to develop the land to produce soft fruits. Application 182191 is also on the agenda for this meeting and proposes the erection of 37ha of polytunnels for table-top strawberry production and necessary infrastructure, including internal farm tracks, a substantial drainage scheme with attenuation ponds, seasonal workers accommodation and facilities, landscaping and environmental enhancement measures.
- 1.3 The overall land owned by the applicant in Ocle Pychard amounts to 145ha. The applicant operates a similar established operation to that being proposed at Withers Farm near Ledbury. It is intended that the proposed fruit growing enterprise will operate in conjunction with Withers Fruit Farm and will supply fruit to Wye Fruit Ltd that is proposed to run along side the existing business.
- 1.4 This application seeks planning permission for the changes of use and conversion of two agricultural buildings within the farm complex of Lodge Farm. The design and access statement has stated that the two units, which will each provide two bedroomed accommodation, are for the occupation of managers employed by the fruit farming enterprise. The buildings are located

Further information on the subject of this report is available from Ms Rebecca Jenman on 01432 261961

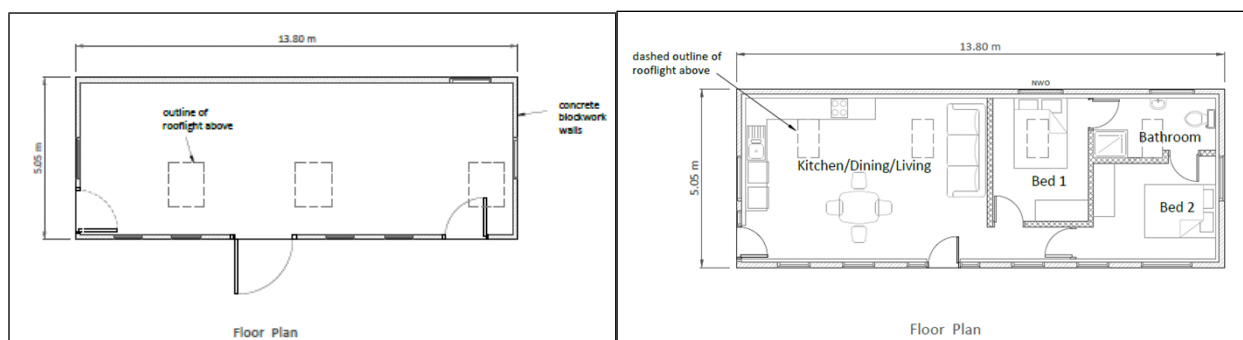
towards the western end of the farm complex with direct access to Monkton Farm Lane (no through road) which connects to the A465 to the north.

- 1.5 Unit 'A' lies to the south of the site. The building has a gross floor external area of approximately 69.69m², whilst unit 'B' has a gross external floor area of 90.00m². Both conversions require no extensions and utilise existing openings for windows and doors. Unit A is of masonry construction and single storey with a duo-pitched roof clad with corrugated asbestos/fibre cement sheets. There are no internal partitions so the integral space in one single room with a concrete floor. Unit A adjoins the main block however no structures are physically connected.
- 1.6 Unit B also adjoins the main steel portal framed agricultural buildings on the site. The structure is single storey with a duo-pitched roof, however is of steel framed construction with steel portal frames evident. There are blockwork infill panels around the building perimeter which are topped externally with corrugated steel side cladding to the gables and eaves. Internally, the barn is subdivided into four 'rooms' with blockwork internal partitions. The previous use of the barn was as a milking parlour, and the concrete floor features a step and a pit in the main milking room.



Site Plan Lodge PL-02

- 1.7 Unit A would be converted to provide modest two bed dwelling in a single storey building as detailed by the floor plan inserted below.

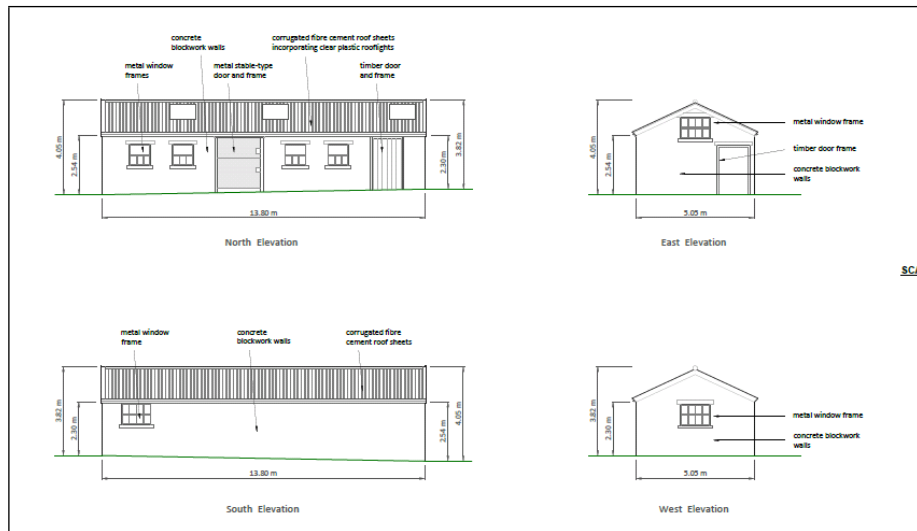


Existing Floor Plan – Unit A

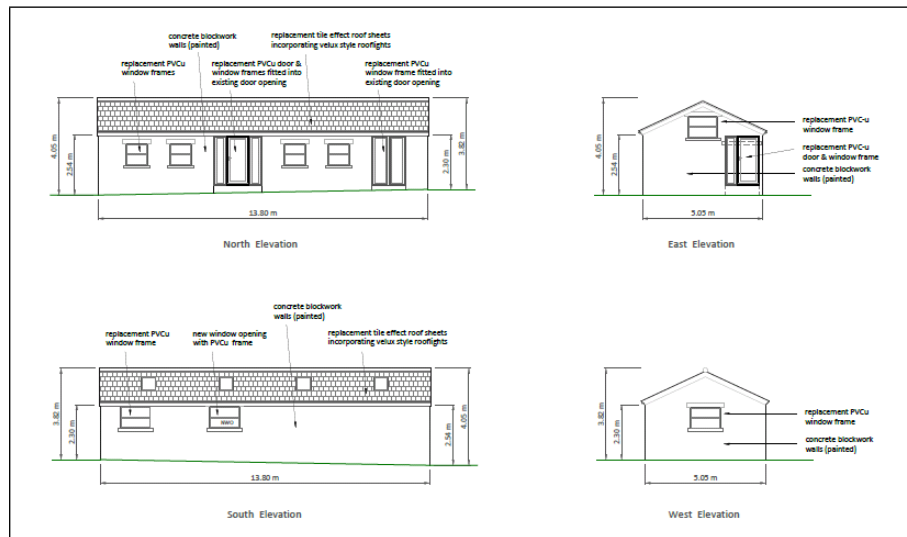
Proposed Floor Plan – Unit A

- 1.8 Externally, the alterations are limited to the replacement of doors and windows, the re-roofing of the building and inclusion of roof lights as detailed on the plan extracts of the existing and proposed buildings inserted below:

Further information on the subject of this report is available from Ms Rebecca Jenman on 01432 261961

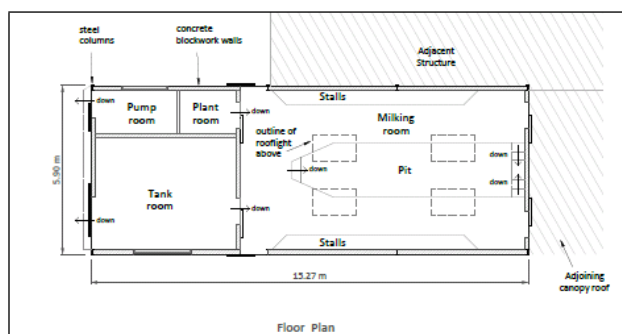


Existing Building – Unit A

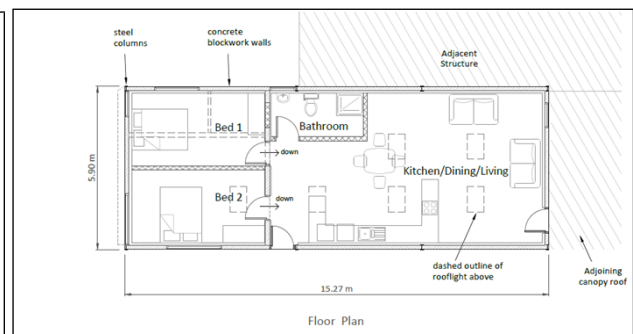


Proposed Building – Unit A

- 1.9 Unit B would be converted to provide a further modest two bedroom unit, within a single storey building as detailed on the floor plan inserted below.

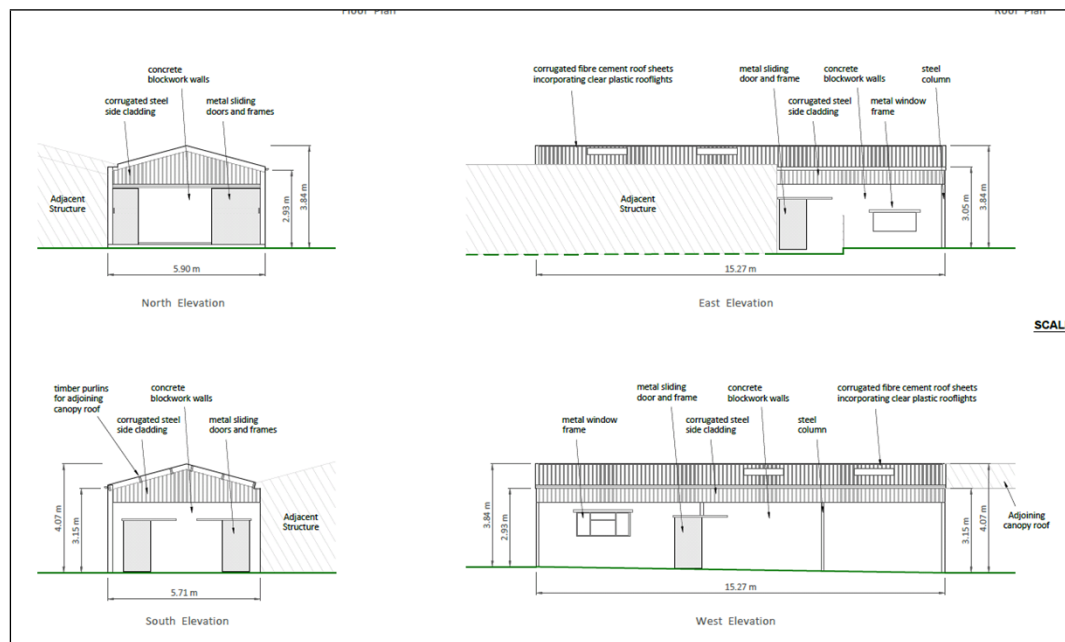


Existing Floor Plan – Unit B

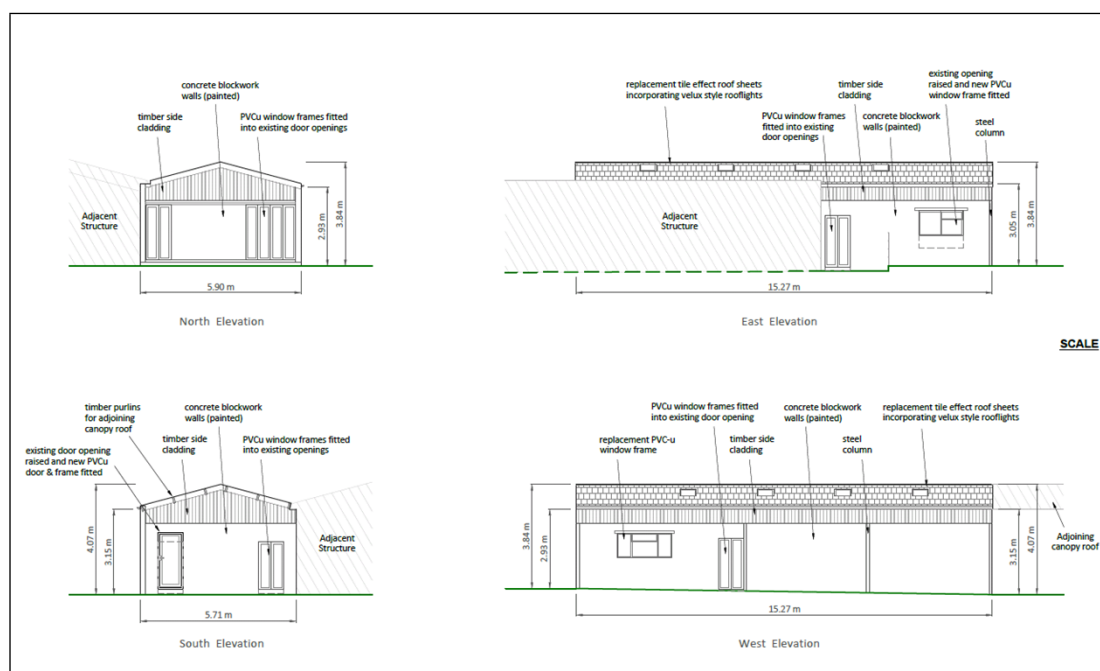


Proposed Floor Plan – Unit B

- 1.10 Externally, the alterations are limited to the replacement of doors and windows, the re-roofing of the building and inclusion of rooflights as detailed on the plan extracts of the existing and proposed buildings inserted below:



Existing Building – Unit B



Proposed Building – Unit B

- 1.11 The properties would be accessed via the existing access into the farmyard with parking provided within the curtilage. A small area of private amenity is provided with for each unit.
- 1.12 Both units will connect to the package treatment plants proposed under application P182191 with regards to the treatment of foul waste.
- 1.13 In addition to the plans, the application submission is supported by the following documents:
- Design and Access Statement
 - Ecological Enhancement and Resource Protection Policy (Chris Seabridge and Associates)

Further information on the subject of this report is available from Ms Rebecca Jenman on 01432 261961

- Structural Appraisal Report (J Holmes BEng(Hons), CEng MStructE, Mid West Planning Ltd)
- Sewerage System Specification

2. Policies

2.1 Herefordshire Local Plan – Core Strategy

SS1	-	Presumption in Favour of Sustainable Development
SS2	-	Delivering New Homes
SS3	-	Releasing Land for Residential Development
SS4	-	Movement and Transportation
SS6	-	Addressing Climate Change
RA2	-	Housing in Settlements Outside of the Hereford and the Market Towns
RA3	-	Herefordshire's Countryside
RA5	-	Re-use of Rural buildings
H1	-	Affordable Housing – Thresholds and Targets
MT1	-	Traffic Management, Highway Safety and Promoting Active Travel
LD1	-	Landscape and Townscape
LD2	-	Biodiversity and Geodiversity
LD3	-	Green Infrastructure
LD4	-	Historic Environment and Heritage Assets
SD1	-	Sustainable Design and Energy Efficiency
SD3	-	Sustainable Water Management and Water Resources
SD4	-	Wastewater Treatment and River Water Quality
ID1	-	Infrastructure Delivery

The Herefordshire Local Plan 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

2.2 Ocle Pychard Neighbourhood Development Plan (OPNDP)

A Neighbourhood Development Plan has been drafted and was sent for examination on the 22nd May 2018. The examiners report was received on the 17th December 2018 and recommended that the NDP progresses to referendum which is scheduled for the 14th February 2018.

As the NDP has progressed this far, officers consider it should be given significant weight in the determination of this planning application. Submission objectives and policies of particular relevance to this proposal are summarised below:

- Objectives for Economic and Social Development
- Objectives for the Environment
- Policy OPG1: Sustainable Development
- Policy OPG2: Development Needs and Requirements
- Policy OPG5: Ocle Prychard
- Policy OPG7: Economic development in Ocle Pychard Group
- Policy OPG11: Natural Environment
- Policy OPG12: Historic Environment
- Policy OPG13: Design and Access

The emerging Ocle Pychard Neighbourhood Development Plan can be seen online at:

https://www.herefordshire.gov.uk/directory_record/3091/ocle_pychard_group_neighbourhood_development_plan

2.3 National Planning Policy Framework (2018) (NPPF)

Chapter 2	–	Achieving Sustainable Development
Chapter 4	–	Decision Making
Chapter 5	–	Delivering a Sufficient Supply of Homes
Chapter 9	–	Promoting Sustainable Transport
Chapter 12	–	Achieving Well-Designed Places
Chapter 15	–	Conserving and Enhancing the Natural Environment
Chapter 16	–	Conserving and Enhancing the Natural Environment

3. Planning History

- 3.1 P182191 (on land adjoining application site by same applicant) - Proposed erection of polytunnels for strawberry table top production and the necessary infrastructure, including internal farm access tracks, a sustainable drainage scheme with attenuation ponds, seasonal worker accommodation and facilities, fruit chiller, cold store and loading bay with landscaping and environmental enhancement measures. (19.71 Ha of polytunnels with all-year round covers and 17.31 with seasonal covers.)
- 3.2 N102161/F - Cover two concrete areas and erect one feed shed / livestock building – approved with conditions October 2010
- 3.3 DCNC0009/1274/F - Installation of above ground slurry store.- Approved with conditions (adj site)

4. Consultation Summary

Statutory Consultations

4.1 Natural England – No Objection

NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED

We consider that without appropriate mitigation the application would:

- Have an adverse effect on the integrity of River Wye Special Area of Conservation
- Damage or destroy the interest features for which River Wye / Lugg Site of Special Scientific Interest has been notified.

In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required / or the following mitigation options should be secured:

- Foul sewage to be disposed in line with Policy SD4 of the adopted Herefordshire Core Strategy. Where a package treatment plant is used for foul sewage, this should discharge to a soakaway or a suitable alternative if a soakaway is not possible due to soil/geology.
- Surface water should be disposed of in line with Policy SD3 of the adopted Herefordshire Core Strategy and the CIRIA SuDS Manual (2015) C753.

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures. Subject to the above appropriate mitigation being secured, we advise that the proposal can therefore be screened out from further stages in the Habitats Regulations Assessment process, as set out under Regulation 63 of the Habitats Regulations 2017.

Natural England's advice on other natural environment issues are set out in full in their response

Internal Council Consultations

4.2 Service Manager Built and Natural Environment (**Historic Buildings Officer**) – **No objection**

We have no objection to this proposal, but feel that to better meet Herefordshire Council's Core Strategy Policies RA4 and RA5, the design could respect the buildings rural character more, and be of higher quality and more appropriate to its rural context.

To meet these policies, we would recommend that a more agricultural material such as the existing fibre cement sheets, or a metal roof be used instead of the proposed tile effect sheeting. The tile effect brings in a domestic look not suitable for the rural setting.

Similarly, the new plastic doors and windows would look very domestic if white in colour, a darker solid colour would be more appropriate for the rural context, so the colour of the plastic openings should be specified.

4.3 Service Manager Built and Natural Environment (**Ecology**) – **No objection**

With regard to site ecology I would suggest that, if given approval, the following non-standard condition is attached:

The recommendations for species and habitat enhancements set out in the ecologist's report from Chris Seabridge and Associates dated July 2018 should be followed unless otherwise agreed in writing by the local planning authority and the scheme shall be carried out as approved. A working method statement for any protected species present together with an enhancement plan integrated with the landscaping scheme should be submitted to the local planning authority in writing. The plan shall be implemented as approved.

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

Reasons:

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).

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).

The Habitats Regulations Assessment issues highlighted by Natural England should be addressed with adequate mitigation outlined in Natural England's response and the HRA screening document for inclusion in an Appropriate Assessment. Clarification of the management of foul water discharge and surface water should be provided to mitigate any hydrological pollution impacts on this stream which links to the R Lugg – part of the R. Wye Special Area of Conservation.

4.4 Environmental Health Officer (**Housing**) –**Summary of advice given**

Any application to increase housing in the Herefordshire is to be welcomed. However, accommodation must be decent, safe and comply with the Housing Act 2004, and be appropriate for 21st Century living.

The comments below from Environmental Health Housing, are informative/advisory only. However they become very relevant if these properties are rented out. They are to assist the applicant, and to save time and money in the future, should the application go ahead: This advice can be seen in full at:

<https://myaccount.herefordshire.gov.uk/documents?id=180c3724-b0f7-11e8-81b3-0050569f00ad>

5. **Representations**

5.1 Ocle Pychard Parish Council – **Objection**

Following their meeting last night, the Parish Council wish to object to the above application - It is linked to application 182191 to which they have objected for the following reasons:

“Ocle Pychard Group Parish Council wish to object to this application for the following reasons:

- The overbearing nature of the proposal
- Loss of local ecological habitats and wildlife
- Access and highway safety on the A465
- Traffic generation in a small community
- Noise and disturbance from the scheme
- Detrimental effect on the public visual amenity of the area.

Should Herefordshire Council decide to approve this application regardless of the significant opposition to it, the Parish Council wish the following statement to be taken into consideration.

Whilst the council welcomes the mitigating factors included in the plan, and are not opposed in principle to agricultural development, we remain concerned that more could be done to mitigate the impact that such a large development will have on the local area.

We recognise that there is considerable community opposition to this proposal. National, county and local planning policies suggest that developments should protect and enhance the distinctive natural and historic environments, with development avoiding undue loss of visual amenity or impacts on landscape character and biodiversity. A significant proportion of the local community feel that any polytunnels, or certainly this large acreage of poly tunnels, will conflict with this policy.

Therefore, after listening to our parishioners and reviewing the documents we suggest:-

Additional tree lines to break up the public visual amenity impact and reduce soil erosion, and associated flood risk from the top fields could also be provided. We suggest along the boundaries between fields:-

- A1 and A2,
- A2 and both A3 and A4
- A3 and A4.

Reviewing the supporting documents the council feel that additional bird nesting boxes could be provided - 5 being very meagre for such a large development and insufficient to offset the loss of natural habitat. Naturally the proposed extra tree lines would also provide sites for extra bird boxes to be sited.

Whilst we note that there will be enhanced buffer strips along the edges of the development, the importation of native species/colonies of bees should also be a feature of this development, which is a common factor in many poly tunnel developments to ensure the local species are enhanced or replaced should they be (inevitably) disturbed during the development of this project. This could be built into the first 5 years of the development.

Following on from that, the EIA should also look carefully at the site for badger setts, brown hares and curlews which have all been historically noted as being present.

The application provides for new and wider splays at entrance points in particular the packing plant. We would welcome limitations on the hours of working for that facility to reduce noise and traffic along the A465 to avoid the risk of road traffic incidents and disruption to existing domestic and agricultural activities.

We also note that the county council should monitor and enforce the implementation of the various laws and codes of conduct for this development rigorously, and we will be following this up should this development go ahead. The applicant has additional land adjacent to this proposed development (west of Monkton Farm) which could be developed in the future so adherence to planning laws and codes of conduct should be considered for any future development.”

5.2 **21 letters of objection** have been received. All of them reference application P182191 for the polytunnel development and much of the content relates specifically to the polytunnel development. However a summary of the objections which specifically reference the proposal under this application are given below;

- The development is of a monumental scale in such a small village such as Ocle Pychard
- The proposal will have a detrimental effect on the local community
- The scale of this operation will have an horrendous blot on our very beautiful land
- Detrimental to rural agricultural landscape
- Application presumptuous ahead of gaining permission for 182191
- The conversion of rural barns do not meet the needs of the local community and contrary to the NDP
- Application should be considered as part of application P182191 not separately
- The application does not meet the requirements of policy RA5 and is not large enough to accommodate a family.
- The scale and design of the property are insufficient and not adequate
- Insufficient ventilation in the lounge and bathrooms.

5.3 **One letter of support** has been received and is summarised below:

- Farmers must adapt to change in farming methods
- The local community will benefit in a number of ways directly and in indirectly

5.4 **Campaign To Protect Rural England (CPRE)** have made a representation to objection to this application as in their opinion should have been submitted as part of application P182191 and cannot be seen in isolation.

5.5 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=182347&search=182347

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

Policy context and Principle of Development

6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states as follows:

"If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

6.2 In this instance the adopted development plan is the Herefordshire Local Plan – Core Strategy (CS). The National Planning Policy Framework (NPPF) is also a significant material consideration. It is also noted that the site falls within the Ocle Pychard Neighbourhood Area, which published a draft Neighbourhood Development Plan (NDP) for Regulation 16 consultation on 23rd March 2018. Following the consultation on the draft plan the Ocle Pychard Group Neighborhood Development Plan was sent for examination on 22 May 2018. The examiner's report was received on 17 December 2018. The referendum for voters within the Ocle Pychard Group Neighborhood area will be held on 14 February 2019. At this stage, the plan can be afforded significant weight in the decision making process.

6.3 Strategic policy SS1 of the CS sets out the presumption in favour of sustainable development, which is reflective of the positive presumption enshrined by the NPPF. Policy SS1 also confirms that proposals which accord with the policies of the Core Strategy (and, where relevant, other Development Plan Documents and Neighbourhood Development Plans) will be approved, unless material considerations indicate otherwise.

6.4 At paragraph 11, the NPPF confirms that when making decisions the 'presumption in favour of sustainable development' should be applied. It goes on to set out at 11 (d) that where the policies most important for determining the application are 'out-of-date' planning permission should be granted, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits or the application of the policies in the framework provides a clear reason for refusing the proposal. At footnote 7, it is confirmed that a failure to demonstrate a five year supply of housing and requisite buffer in accordance with paragraph 73 will render relevant policies to delivering housing out-of-date.

6.5 It is acknowledged that, at this point in the time, the Council is unable to demonstrate a five year supply of deliverable housing sites. The most recent supply statement outlines that the supply position in Herefordshire stands at 4.55 years. As a result, the presumption in favour of sustainable development set out in the Framework is fully engaged. Notwithstanding this, recent Supreme Court judgements and subsequent appeal decisions have confirmed that the absence of a 5 year housing land supply does not render policies related to the supply of a housing an irrelevance for the proposes of decision taking. Rather, it is a matter of planning judgement for the decision-maker to attribute the degree of weight to be afforded depending on the context of the decision. In this case, given that the shortfall in supply is relatively low and the relevant housing supply policies of the core strategy (notably RA2 and RA3) are in general conformity with the NPPF in terms of promoting sustainable patterns of development, I attribute the policies significant weight.

6.6 Policy RA1 relates to the provision of housing in rural areas outside of Hereford and the market towns, and states that across the plan period 5,300 new dwellings will be provided across 7 Housing Market Areas. The site here lies in the Bromyard HMA, which has an indicative growth target of 15% (equivalent to delivering 364 new dwellings). In the Ocle Pychard Parish, this equates to delivering 48 new houses.

- 6.7 Policy RA2 follows and identifies 119 rural settlements which are to be the main focus of proportionate housing development, and a further 98 smaller settlements where some proportionate growth is considered to be appropriate. The policy goes on to states that proposals for new residential development will be supported when they are located within or adjacent to the main built up area of the settlement. At 4.8.23, the CS states those settlement boundaries (or a reasonable alternative) for RA2 villages will be defined by neighbourhood development plans or Rural Site Allocations DPD.
- 6.8 The nearest identified settlement to the site in this instance is Ocle Pychard. The main built up form of the village lies a significant distance to the east, and the proposal site falls outside of the draft settlement boundary for the village in the emerging NDP. The proposal site is hence in open countryside and has not been identified as a location which is sustainable for new housing growth.
- 6.9 Paragraph 79 of the Framework subsequently advises that in isolated countryside locations such as this, new homes should be avoided unless there are special circumstances. This is reflected by Core Strategy policy RA3, which states that in rural areas outside of settlements new residential development will be limited to proposals which satisfy one or more of a number of criteria. Amongst other things, the policy supports the sustainable re-use of rural buildings where the proposals would (i) comply with the requirements of policy RA5 and (ii) lead to an enhancement of its immediate setting.
- 6.10 Policy RA5 sets out a number of criteria for proposals for the re-use of rural buildings, and states that such proposals will be supported where;
1. Design proposals respect the character and significance of any redundant or disused building and demonstrate that it represents the most viable option for the long term conservation and enhancement of any heritage asset affected, together with its setting;
 2. Design proposals make adequate provision for protected and priority species and associated habitats;
 3. The proposal is compatible with neighbouring uses, including any continued agricultural operations and does not cause undue environmental impacts and;
 4. The buildings are of permanent and substantial construction capable of conversion without major or complete reconstruction and
 5. The building is capable of accommodating the proposed new use without the need for substantial alteration or extension, ancillary buildings, areas of hard standing or development which individually or taken together would adversely affect the character or appearance of the building or have a detrimental impact on its surroundings and landscape setting
- 6.11 Policy OPG2 of the OPNDP identifies that a minimum of 36 new dwellings will be delivered throughout the Neighbourhood Area in accordance with the Local Plan Core Strategy. This will be enabled and demonstrated by primarily defining settlement boundaries for Burley Gate, Ocle Pychard and Ullingswick. However, the policy also acknowledges the potential for new residential development in the countryside, outside the defined settlement boundaries, including where this meets the requirements of Local Plan Core Strategy policy RA3 and allied policies. The policy offers support for proposals that generate employment and which support and diversify the rural economy.
- 6.12 The nature of the existing building and its suitability for conversion to a residential use is first considered against the criteria set out by bullets (4) and (5) of Policy RA5 in the CS. A structural report has accompanied the application. Officers would consider, having visited the site and viewed the supporting documents, that the buildings are both of substantial construction that are capable of conversion without major or complete reconstruction. The works proposed to convert the building are considered to be sympathetic to the character of the existing building. The Councils historic buildings advisor has considered the proposals and raised no objections

subject to ensuring that the materials used are re-considered and the applicant is agreeable to this. This is a matter that can be readily resolved through an appropriately worded condition as suggested below. This would, in turn ensure that the design proposals respect the character of the building for its long term conservation. A condition that removes permitted development rights to extend or alter the properties without planning permission is also suggested to ensure that the character of the building is preserved in the long term. As such, the proposal would comply with criteria (5) above.

- 6.13 Turning to criterion (3) of policy RA5 that considers the compatibility with neighbouring uses, including the continued agricultural use of the site. Policy SD1 of the Herefordshire Local Plan – Core Strategy also seeks to ensure that development proposals create safe, sustainable, well integrated environments for all members of the community. This policy also seeks to ensure that the amenities of existing and proposed residents are maintained. The proposal also provides modest garden areas to the front of the dwellings, and parking for occupants adjacent.
- 6.14 Whilst the proposal complies with the other requirements of policy RA5, there is the residual concern about the proximity of the amenity buildings associated with the proposed seasonal agricultural workers dwelling which related to criterion (3). The concern is that the buildings are immediately adjacent to the amenity areas of the proposed seasonal workers accommodation and other buildings that would maintain their agricultural use. Due to the very close proximity of the buildings, this could give rise to an adverse impact upon amenities of occupants.
- 6.15 However, these buildings would also be in the control and ownership of the applicant and the supporting documents indicate very clearly the intention for the properties to provide management accommodation associated with the proposal for the polytunnels and seasonal workers and the continued agricultural use of the land. It is therefore suggested that, in order to address concerns about the potential impact upon amenity, a condition tying the occupation of the two properties hereby proposed to Lodge Farm and the soft fruit enterprise. Subject to this condition, officers would be satisfied that the requirements of policy SD1 and criterion (3) of RA5 of the Core Strategy are met. It is also considered that the principle of the development is accepted by policy OPD2 of the OPNDP.

Ecology

- 6.16 Criterion (2) of policy RA5 and Policy LD2 of the Herefordshire Local Plan - Core Strategy address matters of biodiversity. It is a requirement that development proposals to conserve, restore and enhance biodiversity through the retention and enhancement of nature conservation site and habitats and important species. The advice in the NPPF reinforces this as well as policy OPG11 in the emerging OPNDP.
- 6.17 The application has been supported by the relevant ecological reports and the Councils Ecologist has confirmed that subject to the inclusion of a condition, as suggested below, the appropriate mitigation and enhancement measures can be secured. As such the proposal would comply with the requirements of policy LD2 of the Herefordshire Local Plan, Core Strategy and guidance contained within the NPPF and policy OPG11 in the OPNDP.

Drainage

- 6.18 Policy SD4 of the Herefordshire Local Plan – Core Strategy addresses matters of wastewater treatment and in the first instance seeks connection to the existing main wastewater infrastructure network. Where it is evident that connection is not practical, alternative foul drainage options will be considered in the following order:
1. Provision of or connection to a package sewage treatment works;
 2. Septic tank.

- 6.19 The application confirms that the foul water from the proposed dwelling would be managed through a new Package Treatment Plant where the treated effluent will then be pumped to existing tanks on the site where it will then be used to irrigate existing apple trees on the site at the roots. This will require an Environment Agent bespoke permit. In the absence of a mains sewer this is considered to be acceptable with regards to the hierarchical approach set out in SD4. There would be no increase in impermeable areas as a result of the scheme and therefore the existing arrangements of soakaways will be used for the management of surface water.
- 6.20 It is recommended that conditions be imposed to ensure the submission of detailed drawings of the proposed foul and surface water management for the two proposed dwellings prior to the commencement of development. This approach is considered to be acceptable and along with other information highlighted in their report and be subject to conditions to ensure that maintenance of this approach is undertaken. It is considered that, subject to the submission of satisfactory detailed drainage drawings, the proposal would not lead to an increase in flooding on adjoining land and can protect the availability and quality of water resources and groundwater. The application has demonstrated that the scheme is capable of delivering sustainable water management through out which will protect and enhance groundwater resources. The Drainage Consultant has concluded that the scheme is, having regard to SD3 and SD4 of the CS; policy OPG11 of the OPNDP; and NPPF section 14 principally, acceptable and capable of being approved subject to conditions. Informatives are recommended below to highlight the comments of the Lugg Drainage Board and the requirements of the Board's Bye Laws and S15 of the Land Drainage Act 1991.

Highways Matters

- 6.21 Core Strategy Policy MT1 relates to the highways impacts of new development, and requires that proposals demonstrate that the strategic and local highway network can absorb the traffic impacts of the development without adversely affecting the safe and efficient flow of traffic on the network or that traffic impacts can be managed to acceptable levels to reduce and mitigate any adverse impacts from the development. It also requires under (4) that developments are designed and laid out to achieve safe entrance and exit and have appropriate operational and manoeuvring space, having regard to the standards of the Council's Highways Development Design Guide. This approach accords with the principles outlined in section 9 of the NPPF, in particular Paragraphs 108-9 which advises that it should ensure that safe and suitable access can be achieved for all users and that development should only be refused on highways grounds if there would be an severe impact on highways safety. Similar principles are also found within policy OPG13 (criterion 4) of the emerging NDP which requires proposals to be capable of being safely accessed from the local road network without undue local environmental impacts which cannot be mitigated.
- 6.22 The proposed dwellings would be served by existing access onto Monkton Farm Lane, which have for many years been used in connection with the farm. As mention at paragraph 6.15 above, the supporting documents indicate very clearly the intention for the properties to provide management accommodation associated with the proposal for the polytunnels and seasonal workers. This will be controlled through conditions. Its considered that the provision of the two relatively small residential units will lead to a minimal increase in vehicle movements, and the layout of the access and nature of the highway is not such that any concerns arise in respect of highway safety. Each of the units will be served by appropriate parking and manoeuvring space to serve each of the dwellings. No conflict with policy MT1 of the Core Strategy and policy OPG13 of the emerging OPNDP has been identified.

Other matters

- 6.23 Policy LD1 of the Core Strategy requires development proposals to demonstrate that the character of the landscape and townscape has positively influenced the design and scale of the proposal. The proposed buildings which are subject to this application are contained within the historic context of the farm and are not considered to be seen in isolation. The context and character of the location and setting will be maintained and there is considered to be no conflict with policy LD1 of the Core Strategy or need for any further mitigation.
- 6.24 The proposal does not impact upon any designated or non designated heritage assets or wider historic environment. Therefore no conflict with policy LD4 has been identified.
- 6.25 Policy SD1 of the Herefordshire Local Plan – Core Strategy seeks to ensure that development proposals create safe, sustainable, well integrated environments for all members of the community and will need to be carefully considered. This policy also seeks to ensure that the amenities of existing and proposed residents are maintained. The nearest existing dwellings which are not in the ownership of the applicant are North Monkton which adjoins the farm complex to the north, and Monkton Farm which is located around 320m to the south. The proposal is not considered to harm the amenity of either dwelling. No conflict with policy SD1 have been identified with regards to residential amenity.

Planning Balance and conclusions

- 6.26 This application seeks permission for the conversion of two modest single storey agricultural buildings into dwellings. Whilst a number of the representations have made reference to the justification and need for the dwellings given the rural business they intend to serve has not yet gained approval, the proposal, as with any application, needs to be determined on its own merits. Therefore, officers have determined this application against the information which has been submitted in support of the proposal and the relevant policies which are considered appropriate, having regard to policy RA3 and in turn, policy RA5 that relates to the re-use of redundant building.
- 6.27 Policy RA5 recognises that the re-use of existing rural buildings has an important role to play in promoting economic prosperity and sustainable development in rural areas. Redundant rural buildings in Herefordshire vary greatly in terms of scale, design and materials depending on their former use and many are former agricultural buildings that are no longer required for original purpose or are not of a scale that meets modern standards. The buildings subject of this application are typical of this.
- 6.28 Whilst the existing buildings are not considered to be of any specific architectural merit or historic interest other than their group value within the existing farmstead, policy RA5 does not specifically exclude such buildings from being converted subject to the buildings being structurally sound. This matter has been confirmed with the provision of a structural report and both buildings are considered to be capable of being converted and accommodating the new use without the need for substantial alteration and extension.
- 6.29 The design proposal respects the character of the redundant buildings and considering all matters together would not adversely affect the character or appearance of the building or have a detrimental impact on the surroundings and landscape setting. It is considered that there would be economic and sustainable benefits in terms of securing a viable use for the buildings as dwellings that can also weigh in favour of the development in decision making having regard to the shortfall in a five year land supply.
- 6.30 In terms of design, subject to the approval of the roofing material, the proposal is considered to be acceptable in terms of its appearance and the scheme respects the form of the existing buildings in accordance with policies RA5 and SD1 of the Core Strategy.

- 6.31 Policy RA3 also requires that proposals for the re-use of rural buildings lead to enhancement of the building's immediate setting, which is consistent with the advice at Paragraph 79 of the Framework. The building and the wider site here are agricultural in character and typical of what one would expect to find in a rural location such as this. The conversion of the two buildings provides the opportunity to broadly enhance the setting of site, by bringing the buildings into use and would also provide opportunities for biodiversity enhancement in accordance with policy LD2 of the CS. Overall the proposal is considered to contribute positively to the overall site and rural setting. No conflict with policies RA3 or RA5 or the advice contained within the NPPF has been identified.
- 6.32 In accordance with policy RA5, the conversion of the buildings will make a positive contribution to the proposed soft fruit business and is well placed for the intended occupiers to manage and oversee activities at the farm. However, officers would also consider that the proposal to re-use the buildings for small scale dwellings would be compliant with policies RA3 and RA5 and that of paragraph 79 with or without the presence of the soft fruit enterprise, providing the occupiers were connected to the adjoining buildings to address concerns about amenity. A suitably worded condition attached to the permission can successfully address this aspect and ensure compliance with the requirements of policies RA5 and SD1 of the Herefordshire Local Plan – Core Strategy.
- 6.33 Overall, the proposal is considered to represent a sustainable form of development. The proposed conversion and re-use of the buildings is acceptable in the context and character within which they located, and it is considered that they will contribute positively to the wider site and rural setting. Conditions will ensure that the proposal does not conflict with any adjoining land uses. Officers would therefore conclude that the application is compliant with relevant policies within the Core Strategy, advice within the NPPF and the policies within the emerging Ocle Pychard NDP and approval is recommended subject to the conditions set out below.

RECOMMENDATION

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

- 1. A01 Time limit for commencement (full permission)**
- 2. B01 Development in accordance with approved plans**
- 3. C01 Samples of external materials**
- 4. F14 Removal of permitted development rights**
- 5. The occupation of the dwellings (unit A and Unit B) hereby permitted shall be limited to a person solely or mainly employed or last employed in the business occupying the buildings and land edged in blue on land ownership plan ref. OCLE PYCHARD PL-01 dated 24-05-18**

Reason: In order to conform with Policy SD1 of the Herefordshire Local Plan – Core Strategy, OPG13 of the Ocle Pychard Neighbourhood Plan and the National Planning Policy Framework so as to safeguard the residential amenity of the occupants.

- 6. Prior to the commencement of development, a detailed drainage strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include / address the following;**

1. Detailed drawing demonstrating the management of surface water runoff during events that may temporarily exceed the capacity of the drainage system, including conveyance systems;
2. Detailed 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;
3. If infiltration of foul water is proposed to be discharge to the ground, 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;
4. Confirmation of ongoing management of drainage systems.

The drainage strategy shall be implemented before the first occupation of the dwellings hereby approved and maintained thereafter in accordance with the approved details.

Reason: in order to secure satisfactory drainage arrangements are provided and to comply with Policies LD2, SD3 and SD4 of the Herefordshire Local Plan – Core Strategy, Policy OPG11 of the Ocle Pychard Neighbourhood Development Plan and the National Planning Policy Framework.

7. The recommendations for species and habitat enhancements set out in the ecologist's report from Chris Seabridge and Associates dated July 2018 should be followed unless otherwise agreed in writing by the local planning authority and the scheme shall be carried out as approved. A working method statement for any protected species present together with an enhancement plan integrated with the landscaping scheme should be submitted to the local planning authority in writing. The plan shall be implemented as approved.

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

Reasons: 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).

To comply Herefordshire Council's Policies LD2 Biodiversity and Geodiversity, LD3 Green Infrastructure of the Herefordshire Local Plan Core Strategy 2013 – 2031, Policy OPG11 of the Ocle Pychard Neighbourhood Development Plan and to meet the requirements of the National Planning Policy Framework (NPPF).

8. I16 Restriction of hours during construction
9. I42 Scheme of refuse storage (residential)

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. **HN10 No drainage to discharge to highway**
3. **HN01 Mud on highway**
4. **N11A Wildlife and Countryside Act 1981**
5. **N18 European Protected Species Licence**

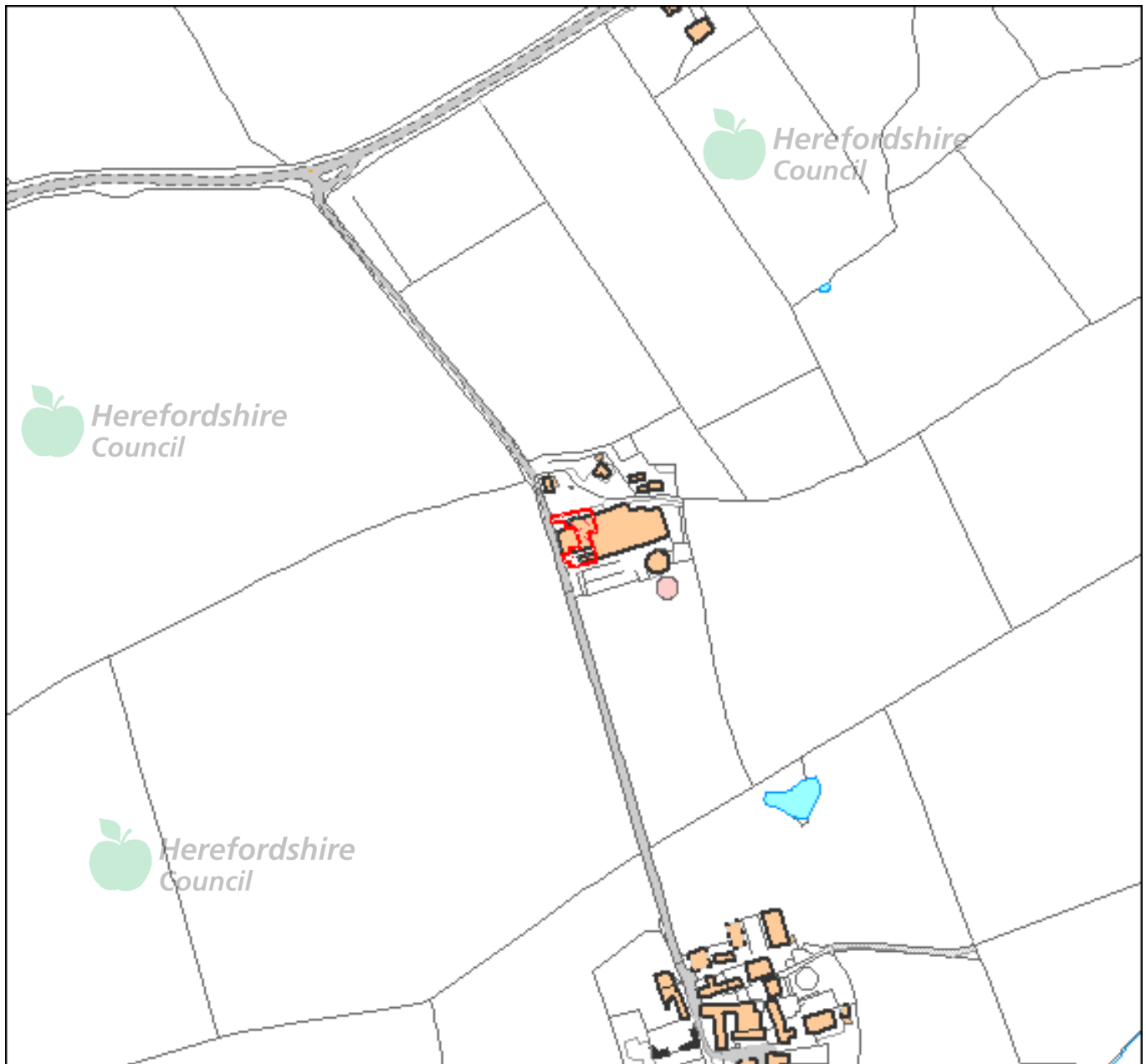
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: 182347

SITE ADDRESS : LODGE FARM, MONKTON FARM LANE, OCLE PYCHARD, HR1 3QQ

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