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| MEETING : | PLANNING AND REGULATORY COMMITTEE |
| DATE: | 18 JANUARY 2021 |
| TITLE OF REPORT: | <p>193707 - PERMISSION TO INCORPORATE LASER CLAYS SPORTING OPTION TO EXISTING AREA INVOLVED WITH EXISTING ESTABLISHED CLAY SHOOTING LAYOUT, REPLACEMENT OF A PORTABLE CABIN WITH A SMALL LODGE AND VIEWING AREA (PART RETROSPECTIVE) AT NEW HOUSE FARM, GRAFTON LANE, GRAFTON, HEREFORD, HR2 8BL</p> <p>For: Gamber Logistics per Mr Paul Dunham, 19 Townsend, Soham, Cambridgeshire, CB7 5DD</p> |
| WEBSITE LINK: | https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=193707&search=193707 |
| Reason Application submitted to Committee – Re-direction | |

Date Received: 23 October 2019

Ward: Wormside

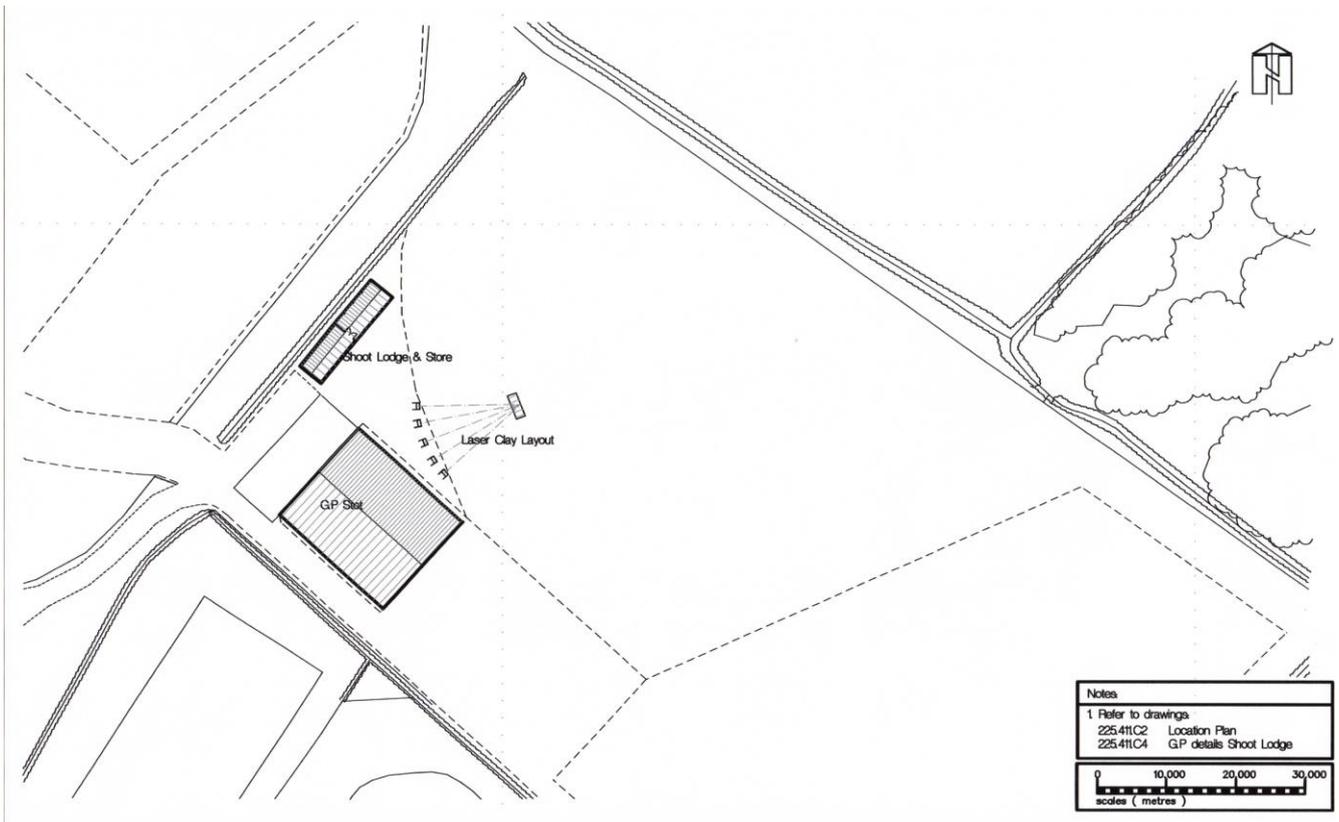
Grid Ref: 349721,236370

Expiry Date: 9 February 2020

Local Member: Councillor Christy Bolderson

1. Site Description and Proposal

- 1.1 The application site is New House Farm, Grafton currently occupied by Gamber Logistics which consists of a former residential building that was converted to offices from a dwellinghouse in 2018. The site is located to the east of Grafton Lane with the access to the north of the office building and a large hardstanding/parking area. Gamber Logistics provide services to the farming community, including cleaning of chicken sheds.
- 1.2 The retrospective application seeks to retain the existing area currently used for laser clays and the small lodge and viewing area (see plan below), which replaced the previous portable cabin on site. Please note that the existing use of land and the building are currently unauthorised.



2. Policies

2.1 The Herefordshire Local Plan Core Strategy policies:

- SS1 – Presumption in favour of sustainable development
- SS6 – Environmental quality and local distinctiveness
- RA6 – Rural economy
- LD1 – Landscape and Townscape
- SD1 – Sustainable design and energy efficiency
- E1 – Employment provision
- E4 – Tourism
- MT1 – Traffic management, highway safety and promoting active travel

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

2.2 National Planning Policy Framework

- Chapter 2 – Achieving sustainable development
- Chapter 6 – Building a strong, competitive economy
- Chapter 9 – Promoting sustainable transport
- Chapter 11 – Making effective use of land
- Chapter 12 – Achieving well-designed places
- Chapter 15 – Conserving and enhancing the natural environment

2.3 Callow and Haywood Group Neighbourhood Development Plan

The site is located within the Callow and Haywood Group Neighbourhood area. The Neighbourhood Plan was adopted on 1st December 2016 and now forms part of the Development Plan for Herefordshire. The following policies are of particular relevance:

- CH1 – Protecting and Enhancing the Rural Landscape
- CH6 – Supporting tourism and Local Business Development in Callow and Haywood

The Callow and Haywood Group Neighbourhood Development Plan can be viewed using the following link:

https://www.herefordshire.gov.uk/download/downloads/id/8712/neighbourhood_development_plan

3. Planning History

- 3.1 P200150/F - Hardstanding and access road. The area is used for vehicular parking and access generally, short term holding of deliveries of materials and display of cut Christmas Trees for sale mid-November to 24th December each year. (Retrospective) – Refused 10.6.2020

P193706/F – Permission to operate a retail cartridge business from the existing GP storage building (retrospective). Refused 25.3.2020. Allowed on appeal 21/9/20.

P182130/F – Proposed change of use of residential dwelling to office accommodation. Approved 20.12.2018

DCCE0009/1948/F – Open fronted garage with bat loft. Approved 16.10.2009

4. Consultation Summary

Statutory Consultations

- 4.1 None

Internal Council Consultations

- 4.2 Transportation Manager

As stated in application number 193706, there have been a number of applications for this site both permitted and awaiting permission, all with highways implications, however this application can only be assessed on the proposed application details.

The submitted data set out in the technical note on proposed vehicle movement shows that the level of vehicle movements associated with this application are generally low and would not result in a cumulative impact on the highway network that could be classed as severe. However to reduce the impact of vehicles on the highway network large groups visiting the site should be promoted to use mini buses or car sharing to reduce the single vehicle movements, therefore please condition as follows -

CA1 - Parking - single/shared private drives

CB2 - Secure covered cycle parking provision

CB3 - Travel Plan (which must include arrangements for collection of customers by minibus)

LA1 - Travel plans

A Travel plan subsequently submitted on 17th July 2020 which promotes the use of mini buses or car sharing to reduce single vehicle movements has been deemed acceptable by the Area Engineer Team Leader and therefore a condition ensuring compliance with the travel plan is to be imposed in order to reduce the single vehicle movements to the site.

Whilst a condition for parking was suggested by the area highways engineer, this is not considered necessary as there is ample parking already within the site.

4.3 Conservation Manager (Ecology)

It is noted that the proposed lodge does not include any facilities that may generate foul water. Based on this information the application may be screened out from requiring any further habitat Regulations Assessment process.

There are no other ecology comments

4.4 Environmental Health

From a noise and nuisance perspective our department has no objections to this proposal.

5. Representations

5.1 Callow and Haywood Group Parish Council

The Callow and Haywood Parish Council object to the proposal. The main concerns are as follows:

Traffic - Access to both sites is along the narrow and winding Grafton Lane, used by locals for recreational walking and more widely as part of the National Cycle Network. The terms of agreement to planning for another business on the same site in 2019 was associated with severe restrictions in terms of traffic movement. To ignore the effect of increased traffic movements which would result from allowing these current planning applications would be perverse and ignore the danger created.

Mission Creep - We are concerned that the limited administrative activity which was promised and permitted in the original application for change of use on the Newhouse Farm site is being ignored. These 2 applications would create a significantly different activity and traffic footprint to that originally envisaged, in a site that is wholly inappropriate.

5.2 Nineteen letters of support have been received with general comments summarised as: a new recreational activity for the county where there is no noise, light or air pollution created which positively contributes to the rural economy.

5.3 Nine objections have been received from local residents. The main concerns are the volume of traffic to and from the site down the narrow country lane, the hours of operation and the possible habitation of the viewing lodge

5.4 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=193707&search=193707

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 and the Callow and Haywood Neighbourhood Development Plan (NDP). The National Planning Policy Framework 2019 is also a significant material consideration.

6.3 The land has been used for the past six years for clay pigeon shooting, albeit without permission, as it was believed that it could be used under temporary use for 28 days per year. This was not the case as the parcel of land in use is clearly within the curtilage of a building. However the recent change to permitted development rights under The Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England)(Coronavirus) Regulations 2020 no 632, allows the use of land within the curtilage of a building for such a purpose for up to 28 days in a calendar year. This right is currently set to expire at the end of the year.

6.4 The impact of the laser clays would be less than the previous use as there are no noise issues. As there are considered to be no significant adverse impacts to local amenity or to the local landscape associated with either the laser clays business or the addition of the slightly larger viewing lodge to replace the previously existing building, the proposal accords with Policies SS1 and SS6.

6.5 The proposal is considered to enhance the diversification of the rural economy whilst remaining at a level where it would not negatively impact nearby residential amenity and therefore it accords with Policy RA6.

6.6 There are no landscaping or design issues that could be associated with the current use of the land or the erection of the viewing lodge. The site is well screened from public view by established hedgerows and trees and the lodge has been built in sympathetic natural materials. The low level use of the existing land and replacement building does not have any detrimental effect on neighbouring amenity, the local landscape or the natural environment and therefore the proposal accords with Herefordshire Local Plan –Core Strategy Policies LD1 and SD1 and Callow and Haywood NDP Policy CH1.

6.7 Whilst the activities on offer within the site should promote tourism to the local area, it is not envisaged that it will rise to such a level that there would be any significant negative impact to the local character of the landscape. The proposal hereby accords with Herefordshire Local Plan – Core Strategy Policy E4 and Callow and Haywood Group NDP Policy CH6.

6.8 Significant concerns have been raised by local residents that the increase in traffic movements to and from the site using these facilities would cause the narrow country lane to deteriorate at a faster rate than would normally be expected. The Council's Highways Engineer is of the opinion that based on the submitted data set out in the technical note on proposed vehicle movements, the level of vehicle movements associated with the application are generally low and would not result in a cumulative impact on the highway network that could be classed as severe. However to reduce the impact of vehicles on the highway network by large groups visiting the site, the Travel plan submitted on 17 July 2020 which promotes the use of mini buses or car sharing to reduce single vehicle movements has been deemed acceptable by the Area Engineer Team Leader and therefore a condition ensuring compliance with the travel plan is to be imposed in order to reduce the single vehicle movements. Therefore on that basis the proposal is considered

to accord with Policy MT1. The recent appeal decision for the cartridge sales was allowed because the Inspector did not agree with the Councils opinion that this was an unsustainable location.

Planning balance and conclusion

- 6.9 Whilst the concerns of the Parish Council and local residents in terms of volume of traffic are noted, no objections have been raised by the highways engineer subject to appropriate conditions. No objections were raised by ecology or environmental health in terms of noise or visual amenity. It is therefore considered that on balance the proposal accords with both local and national policy and is recommended for approval subject to conditions.

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. CB3 – Travel Plan

The Travel Plan submitted on 17th July 2020 shall be implemented, in accordance with the approved details, upon the first use of the development. A detailed written record shall be kept of the measures undertaken to promote sustainable transport initiatives and a review of the Travel Plan shall be undertaken annually. All relevant documentation shall be made available for inspection by the local planning authority upon reasonable request.

Reason: In order to ensure that the development is carried out in combination with a scheme aimed at promoting the use of a range of sustainable transport initiatives and to conform to the requirements of Policies SD1 and MT1 of Herefordshire Local Plan –Core Strategy and the National Planning Policy Framework.

2. C54 – Restriction on hours of operation

The hours during which the operation of the laser clays may take place shall be restricted to 10.00 am to 4.00 pm Monday to Friday and 10.00 am to 3.00 pm on Saturdays. There shall be no such use on Sundays, Bank or Public Holidays.

Reason: To safeguard the amenities of the locality and to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

3. CC2 – External lighting

No external lighting to be used within the development prior to submission of details for approval by the local planning authority Reason: To safeguard the character and amenities of the area and to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

INFORMATIVE:

- 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.

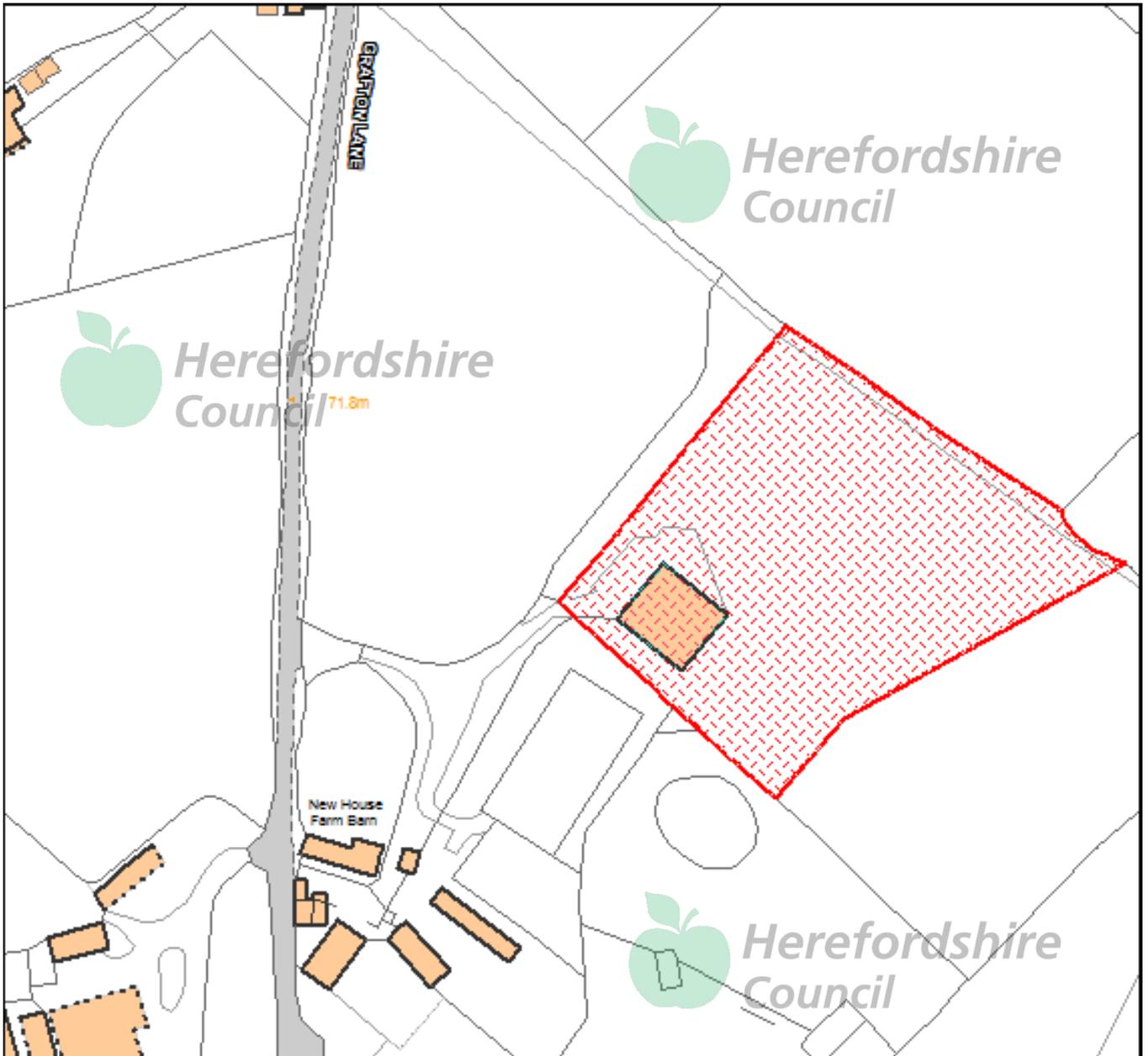
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: 193707

SITE ADDRESS : NEW HOUSE FARM, GRAFTON LANE, GRAFTON, HEREFORD, HEREFORDSHIRE, HR2 8BL

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