

A G E N D A

Northern Area Planning Sub- Committee

Date: **Wednesday, 17th September, 2003**

Time: **2.00 p.m.**

Place: **The Council Chamber,
Brockington, 35 Hafod Road,
Hereford**

Notes: Please note the **time, date** and **venue** of
the meeting.

For any further information please contact:

*Heather Donaldson, Members' Services,
Room 20, Brockington, 35 Hafod Road,
Hereford, Tel 01432 261829*

e-mail

hdonaldson@herefordshire.gov.uk

**County of Herefordshire
District Council**

AGENDA

for the Meeting of the Northern Area Planning Sub-Committee

To: Councillor J.W. Hope (Chairman)
Councillor J. Stone (Vice-Chairman)

Councillors B.F. Ashton, Mrs. L.O. Barnett, W.L.S. Bowen, R.B.A. Burke, P.J. Dauncey, Mrs. J.P. French, J.H.R. Goodwin, K.G. Grumbley, P.E. Harling, B. Hunt, T.W. Hunt, T.M. James, Brig. P. Jones CBE, R.M. Manning, R. Mills, R.J. Phillips, D.W. Rule MBE, R.V. Stockton, J.P. Thomas and J.B. Williams

	Pages
1. APOLOGIES FOR ABSENCE	
To receive apologies for absence.	
2. DECLARATIONS OF INTEREST	
To receive any declarations of interest by Members in respect of items on the Agenda.	
3. MINUTES	
To approve and sign the Minutes of the meeting held on 20th August 2003. These will arrive "To follow" by not later than 13th September 2003.	
4. ITEM FOR INFORMATION - APPEALS	5 - 6
To note the contents of the attached report of the Head of Planning Services in respect of appeals for the northern area of Herefordshire.	
5. HEAD OF PLANNING SERVICES REPORT	7 - 28
To consider and take any appropriate action on the attached reports of The Head of Planning Services in respect of the planning applications received for the northern area of Herefordshire, and to authorise him to impose any additional conditions and reasons considered to be necessary.	
Plans relating to planning applications on this agenda will be available for inspection by members during the meeting and also in the Council Chamber from 1.30 p.m. on the day of the meeting.	
EXCLUSION OF THE PUBLIC AND PRESS	
In the opinion of the Proper Officer, the next item will not be, or is likely not to be, open to the public and press at the time it is considered.	
RECOMMENDATION:	
THAT the public be excluded from the meeting for the following item of business on the grounds that it involves the likely	

disclosure of exempt information as defined in Schedule 12(A) of the Local Government Act, 1972 as indicated below.

6. ITEM FOR INFORMATION - ENFORCEMENT

29 - 30

To note the Council's current position in respect of enforcement proceedings for the northern area.

(This item discloses information relating to possible legal proceedings by the Council;

Information relating to a notice, order or direction which the Council might impose on someone, and;

Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.)

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- Inspect minutes of the Council and all Committees and Sub-Committees and written statements of decisions taken by the Cabinet or individual Cabinet Members for up to six years following a meeting.
- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting. A list of the background papers to a report is given at the end of each report. A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
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- Have a reasonable number of copies of agenda and reports (relating to items to be considered in public) made available to the public attending meetings of the Council, Cabinet, Committees and Sub-Committees.
- Have access to a list specifying those powers on which the Council have delegated decision making to their officers identifying the officers concerned by title.
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COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

BROCKINGTON, 35 HAFOD ROAD, HEREFORD.

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Please do not allow any items of clothing, etc. to obstruct any of the exits.

Do not delay your vacation of the building by stopping or returning to collect coats or other personal belongings.

ITEM FOR INFORMATION - APPEALS

APPEALS RECEIVED**Enforcement Reference No. EN2003/0026/ZZ**

- The appeal was received on 21st August 2003
- The appeal is made under Section 174 of the Town and Country Planning Act 1990 against the service of an Enforcement Notice
- The appeal is brought by Mr I.D. Johnson
- The site is located at Woodend Farm, Cradley, Malvern, WR13 5JW
- The breach of planning control alleged in this notice is "Without planning permission, change of use of the land from use for agriculture to a mixed use for agriculture, a mountain boarding track and an off-road dirt buggy track together with the siting of a portacabin and toilet block"
- The requirements of the notice are: "Stop using the land or any part of it as a mountain boarding track and off-road dirt buggy track and also remove a portacabin currently used as a reception area and shop together with a toilet block"
- The appeal is to be heard by Hearing

Case Officer: Kevin Bishop on 01432-261803**Application No. DCNC2003/1685/O**

- The appeal was received on 1st September 2003
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal is brought by Mr Caine
- The site is located at Land adjoining Southend, Cobnash, Kingsland, Leominster, Hereford.
- The development proposed is Site for one detached dwelling with detached garages for disabled person
- The appeal is to be heard by Written Representations

Case Officer: Duncan Thomas on 01432-383093**Application No. NC2003/0415/O**

- The appeal was received on 2nd September 2003
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal is brought by Mr & Mrs L Davies
- The site is located at Pound House, Hope-Under-Dinmore, Leominster, Herefordshire, HR6 0PR
- The development proposed is Demolition of existing garage/store, erection of bungalow with garage and alterations to vehicular access
- The appeal is to be heard by Written Representations

Case Officer: Duncan Thomas on 01432-383093

APPEALS DETERMINED

Application No. NC2002/2769/F

- The appeal was received on 23rd April 2003
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal was brought by Mr & Mrs Kinsey
- The site is located at Devona, Gateway Lane, Leominster, Herefordshire, HR6 8LF
- The application, dated 9th September 2002, was refused on 4th November 2002
- The development proposed was First floor extension
- The main issue is the effect of the proposal on the character and appearance of the surrounding area

Decision: The appeal was **ALLOWED and planning permission granted** on 11th August 2003 subject to conditions relating to standard 5 year commencement and materials to match existing building

Case Officer: Duncan Thomas on 01432-383093

Application No. NC2003/0678/F

- The appeal was received on 24th June 2003
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal was brought by G & M E Symonds
- The site is located at Ridgeway Farm, Ludlow Road, Leominster, Herefordshire, HR6 0DH
- The application, dated 11th March 2003, was refused on 22nd May 2003
- The development proposed was Retrospective application for change of use from agricultural to light industry, and storage

Decision: The appeal was **WITHDRAWN** on 14th August 2003

Case Officer: Duncan Thomas on 01432-261790

Application No. NC2002/3207/F

- The appeal was received on 21st May 2003
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal was brought by Mr T N Jones
- The site is located at The Haven, Ford Bridge, Nr Leominster, Herefordshire. HR6 0PB
- The application, dated 23rd October 2002, was refused on 29th January 2003
- The development proposed was Demolish garage/store shed. Erect new garage/store shed on different site, change of use of agricultural land to domestic.
- The main issue is the effect of the proposed development on the character and appearance of the surrounding area, including the AGLV.

Decision: The appeal was **DISMISSED** on 4th September 2003

Case Officer: Duncan Thomas on 01432-261790

If members wish to see the full text of decision letters copies can be provided.

NORTHERN AREA PLANNING SUB-COMMITTEE

17 SEPTEMBER 2003

APPLICATIONS RECEIVED

REF. NO.	APPLICANT	PROPOSAL AND SITE	APPLICATION NO.	PAGE NO.
1.	The Whittern Farms Ltd	Proposed extensions to two existing poultry houses and construction of two additional poultry houses together with associated ancillary works at The Hunton Site, The Whittern Farms, The Whittern, Lyonshall, Kington, HR5 3JA	NW2003/1394/F	9 – 16
2.	Mr AN Jaques	Demolition of existing granary & construction of two bedroomed ancillary annexe at Wennetune House, Woonton, Herefordshire, HR3 6QN	NW2003/1849/F	17 – 20
3.	Mr L R Roper	Proposed building packing hydroponic produce, egg grading, cold store, package store and small workshop at Lyncroft, Badley Wood, Whitbourne, WR6 5SJ	NC2003/1850/F	21 – 23
4.	Mr A Johns	Creation of new access onto Chapel Lane Land at Pool Head adjoining Chapel Lane between Maundfield House and Maundfield Cottage, Bodenham, Herefordshire.	NC2003/2317/F	25 – 27

- 1. NW2003/1394/F - PROPOSED EXTENSIONS TO TWO EXISTING POULTRY HOUSES AND CONSTRUCTION OF TWO ADDITIONAL POULTRY HOUSES TOGETHER WITH ASSOCIATED ANCILLARY WORKS AT THE HUNTON SITE, THE WHITTERN FARMS, THE WHITTERN, LYONSHALL, KINGTON, HR5 3JA**
- For: The Whittern Farms Ltd per Mr M Hall, Mike Hall Advisory, 14 Sunningdale, Leominster, HR6 8EH**

Date Received:
8th May 2003

Expiry Date:
28th August 2003

Ward:
Pembridge & Lyonshall
with Titley

Grid Ref:
34247, 58200

Local Member: Councillor R Phillips

1. Site Description and Proposal

- 1.1 The application site is located in open countryside, designated as an Area of Great Landscape Value and comprises a rectangular plot of some 1.61 hectares lying immediately to the west of an unclassified road which provides access to and from the A44 to the south via Nextend and New Street. The Hunton site currently comprises of 4 established poultry units with associated feed silos and hardstanding and occupies a relatively inconspicuous low lying position benefiting from established tree and hedgerow screening to the south, west and north. The northern boundary is defined by an overgrown disused railway line which is in turn designated as a Special Wildlife Site.
- 1.2 The eastern boundary of the site is defined by open agricultural land which slopes away in an easterly direction and is more readily visible in long distance views.
- 1.3 The prevailing character of the area is agricultural but there are a number of dwellings in relatively close proximity to the application site, the nearest being 1 and 3 Lewis Wych some 300 metres to the south. Beyond this along the main route to and from the site are a number of other protected properties (those not occupied by persons engaged in agriculture) which are primarily focussed along New Street.
- 1.4 The Hunton site represents one of the poultry sites managed by Whittern Farms Ltd, the others considered relevant being those based at Nextend Farm and Brook Farm.
- 1.5 Planning permission is sought for the extension of two existing poultry units (approved in 1995) and the extension of the site with two additional units, bringing the total number of buildings at the Hunton site to 6. The proposed extensions to the existing units would be 33.5 metres in length and the new units would be some 106.5 metres long by 18.8 metres wide with a height to the ridge of approximately 4.6 metres. The proposal would increase the capacity of the Hunton site to a total of 172,665 birds housed compared to 93,660, taking into consideration the requirements of new legislation (FAWC Codes of Practice and the Welfare of Farmed Animals (England) Regulations 2000), an overall increase of 60,263 birds.

- 1.6 The application has been accompanied by an Environmental Assessment as required by the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 and incorporates a survey and report prepared by the Herefordshire Farming and Wildlife Advisory Group Ltd. This report covers landscaping, ecological and general management recommendations.

2. Policies

Hereford & Worcester County Structure Plan

Policy CTC 2	Areas of Great Landscape Value
Policy CTC 3	Nature Conservation
Policy CTC 6	Landscape Features
Policy CTC 9	Development Requirements
Policy CTC 11	Trees and Woodlands
Policy CTC 12	Improving Wildlife Value
Policy A1	Development on Agricultural Land
Policy A3	Agricultural Buildings
Policy A5	Intensive Food Production Units

Leominster District Local Plan (Herefordshire)

Policy A1	Managing the Districts Assets & Resources
Policy A2 (D)	Settlement Hierarchy
Policy A6	Sites of Local Importance for Nature Conservation
Policy A8	Improvements to or Creation of Habitats
Policy A9	Safeguarding the Rural Landscape
Policy A10	Trees and Woodlands
Policy A12	New Development and Landscape Schemes
Policy A13	Pollution Control
Policy A14	Safeguarding Water Resources
Policy A16	Foul Drainage
Policy A24	Scale and Character of Development
Policy A42	Intensive Livestock Units
Policy A54	Protection of Residential Amenity
Policy A70	Accommodating Traffic from Development
Policy A28	Development Control Criteria for Employment Sites
Policy A35	Rural Employment and Economic Development

Herefordshire Unitary Development Plan (Deposit Draft)

Policy S1	Sustainable Development
Policy S2	Development Requirement
Policy S4	Employment
Policy S6	Transport
Policy S7	Natural and Historic Heritage
Policy S10	Waste
Policy DR1	Design
Policy DR2	Land Use & Activity
Policy DR3	Movement
Policy DR4	Environment
Policy DR9	Air Quality
Policy DR13	Noise
Policy E6	Expansion of Existing Businesses
Policy E8	Design Standards for Employment Sites
Policy E11	Employment in the Countryside
Policy E13	Agricultural and Forestry Development

Policy E16	Intensive Livestock Units
Policy LA2	Landscape Character and Areas Least Resilient to Change
Policy LA6	Landscape Schemes
Policy NC1	Nature Conservation and Development
Policy NC4	Sites of Local Importance
Policy NC8	Habitat Creation, Restoration and Enlargement

3. Planning History

3.1 Hunton Site

95/0759/N - Erection of 2 poultry houses, low profile feed silos and ancillary works - Approved 10 November 1995.

Next End Farm

95/0760/N - Erection of one additional poultry house, low profile feed silos and ancillary works - Approved 10 November 1995 (not implemented and now lapsed).

Brook Farm

96/0879/N - Erection of 2 additional poultry houses, low profile feed silos and ancillary works - Approved 7 January 1997.

93/104 - Erection of 1 additional poultry unit, low profile feed silos and ancillary works - Approved 5 May 1993.

91/554/ - Erection of 2 poultry houses, hygiene room and ancillary works - Approved 5 March 1992.

4. Consultation Summary

- 4.1 Environment Agency raise no objection and indicate that any waste excavation material or building waste generated should be disposed of in accordance with Section 34 of the Environmental Protection Act 1990, appropriate pollution prevention measures have been taken, that washwater and foul waste should be collected, stored and disposed of in accordance with DEFRA requirements.
- 4.2 English Nature raises no objection commenting that the River Lugg SSSI/cSac is sufficiently distant so as not to be affected by the development and urges the Council to support the FWAG conclusions set out in the Environmental Statement.
- 4.3 Responses by internal consultees that raise material planning issues are summarised and considered in the Officers Appraisal.

5. Representations

- 5.1 Lyonshall Parish Council raise no objection.
- 5.2 Pembridge Parish Council (neighbouring parish council) comment :

'Pembridge Parish Council considers this to be a well planned development and that the associated landscaping arrangement will improve the countryside and wildlife habitat adjacent to the site. The Parish Council is in agreement with the application.'

5.3 At the time of writing two letters of objection have been received, one via email from Mr S Llewellyn and one from Mr & Mrs Price of 3 Lewiswyche, Lyonshall, Kington, together with a petition with 14 signatories (residents of New Street).

5.4 The concerns raised are as follows :

- existing road network is unsatisfactory
- too many lorries using local roads
- existing road too narrow with poor visibility in places
- potential for collision between private cars and HGV's
- visibility from New Street onto A44 poor and manoeuvring very hazardous
- vehicle movements along New Street cause noise and disturbance to residents
- fear of lorries colliding with property adjacent road
- ongoing damage to verges and ditches
- increased traffic fumes will cause pollution
- precedent for further expansion
- consideration of alternative route via Brook Farm should be given
- the area has reached saturation point so far as poultry house development is concerned
- destruction of drainage systems causes flooding in winter
- this form of development should be located on industrial sites

5.5 The full text of these letters can be inspected at Northern Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

6. Officers Appraisal

6.1 The key issues for consideration in the determination of this application are as follows :

- a) the impact of the proposal on the local highway network in terms of road safety and residential amenity;
- b) other environmental impacts associated with residential amenity (noise and odour associated with the site itself) and;
- c) landscape/ecological impact.

6.2 These broad headings have been set out to reflect the weight of concern from local residents and specific points where relevant to planning legislation will be set out in detail in the appraisal.

HGV Movements, Road Safety and Local Amenity

6.3 It is clear from the responses received from local residents that both the current and projected weight of HGV traffic associated with the Hunton Farm site and other poultry sites in the locality is a major cause for concern. This impact is recognised in the accompanying Environmental Statement which provides details of the comparative traffic movements having regard to the expansion proposals and the requirements of new legislation which seeks to reduce stocking levels.

- 6.4 The information provided breaks down as follows:
- a) vehicles serving existing Hunton site (previous legislation) 262 vehicles per annum, average 5.0 vehicles/week.
 - b) vehicles serving existing Hunton site (new legislation) 222 vehicles per annum, average 4.2 vehicles/week.
 - c) vehicles serving proposed Hunton site (new legislation) 415 vehicles per annum, average 7.9 vehicles/week
- 6.5 In road safety terms, the advice received from the Transportation Manager, is that the predicted uplift in HGV traffic of 3.7 movements per week, would not result in such a harmful increase so as to represent a significant threat to road safety. Notwithstanding this, negotiations have been undertaken to seek to address the concerns of local residents. The approach has focused on seeking to identify alternative routes for poultry related traffic in order to reduce the level of traffic using New Street and its junction with the A44.
- 6.6 It should be reiterated that these negotiations have taken place on the basis of an attempt to improve the general living conditions of local residents associated with noise and disturbance caused by HGV traffic. Constraints upon the existing local road network mean that the only feasible alternative route would be via the private road serving the Brook Farm site. The section between New Street and Brook Farm was upgraded under the requirements of Planning Permission 91/554. A permission for further expansion at Brook Farm was granted under reference 96/0879/N which specifically precluded the use of the existing farm access direct from Brook Farm to the A44, the junction being adjacent to a property known as Hope End.
- 6.7 It is this stretch of private road, which combined could form an alternative route for HGV traffic, having the effect of reducing movements along New Street but conversely increasing vehicular activity adjacent to Hope End. It is advised that the existing junction with the A44 adjacent to Hope End offers better visibility than is the case with the New Street/A44 junction.
- 6.8 The reduction in HGV traffic using New Street associated with this alternative routing has proven difficult to quantify but the applicant has confirmed that it would clearly offer the opportunity for all HGV traffic associated with Brook Farm to use the alternative route. Furthermore it could facilitate the use of this route for feed, bedding and fuel deliveries as well as bird collection by vehicles servicing the Hunton site and other sites owned by Whittern Farms Ltd.
- 6.9 In setting out these obvious benefits, your officers advice is that these negotiations are founded wholly within the applicants' willingness to accept a condition requiring the upgrading of the section of road between Brook Farm and the A44. It is not considered that the local planning authority can reasonably insist upon such a condition having regard to the predicted increase in traffic associated with the Hunton site. Other material considerations in reaching this view are as follows:
- a) reduction in stocking levels and thereby vehicle movements associated with new legislation at the existing poultry sites managed by Whittern Farms Ltd and
 - b) the existence of the restrictive condition precluding direct access from Brook Farm and the A44 adjacent to Hope End.

- c) no objection to the proposal from the Head of Environmental Health and Trading Standards.
- 6.10 Overall therefore your officers advice is that the refusal of this particular application on the basis of HGV traffic movements both in terms of highway safety and local amenity would not be warranted.

Other Environmental Impacts (Residential Amenity)

- 6.11 The noise aspects of the current and proposed operations of the Hunton site are detailed in the accompanying Environmental Statement and it is advised that no objection has been received from the Head of Environmental Health and Trading Standards in respect of the proposal.
- 6.12 It is considered that the relatively isolated location of the site and its orientation to the north west of the nearest residential property is such that noise from on site operations would not materially impact upon local amenity.
- 6.13 Odour emanating from the site is not specifically addressed in the Environmental Statement on the basis that the existing operation has not generated any formal complaints and in an area characterised by the presence of other poultry units it would be very difficult to attribute any measurable impact associated with this particular expansion proposal.
- 6.14 Details relating to the regime for dealing with waste and bedding litter are in line with legislative standards and are considered acceptable in terms of minimising impact upon residential amenity.
- 6.15 In summary therefore the proposal is considered to satisfy the terms of Policy A54 of the Leominster District Local Plan (Herefordshire) in so far as it would not significantly harm the residential amenities of the occupiers of existing neighbouring properties.

Landscape/Ecological Impact

- 6.16 The Hunton site was identified in pre-application discussions as being the preferred option for expansion in terms of landscape impact. It occupies a low lying and relatively inconspicuous location that is not readily visible from public vantage points either close to or in longer distance views from the east. It benefits from a mature landscape context defined by trees and hedgerows to the north, south and west and accordingly no specific objection has been raised by the Chief Conservation Officer subject to the imposition of conditions relating to the design of the earth bunding around the extended site and embracing the recommendations set out in the supplementary report provided by the Farming and Wildlife Advisory Group Ltd.
- 6.17 With the imposition of appropriate conditions as set out in the recommendation below it is not considered that this proposal would have an adverse impact on the character and appearance of the Area of Great Landscape Value and would therefore satisfy Policy A9 of the Leominster District Local Plan (Herefordshire).
- 6.18 Turning to the presence of the Special Wildlife Site immediately to the north of the application site, no objection has been raised to the ecological implications of the proposal. Implicit in the scheme as proposed is the endorsement of the recommendations made by the Farming and Wildlife Advisory Group Ltd. This will involve the creation and protection of a 6 metre strip between the development and the

Special Wildlife Site, the sowing of a small triangle of grasses and perennial flowers, the sowing of a one acre block of wild bird seed and the planting of trees and shrubs on the proposed embankment. The provision and ongoing maintenance of this landscaping scheme together with the other recommendations set out in the recommendation would ensure that no adverse impact would accrue in respect of the nature conservation interest of the Special Wildlife Site.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

1 - A01 (Time limit for commencement (full permission))

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

2 - A06 (Development in accordance with approved plans) (drawing nos. 5028, 5028/2 (elevations and cross sections)).

Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.

3 - B10 (Details of cladding (agricultural and industrial buildings)

Reason: To minimise the visual impact of the development.

4 - No development shall take place until there has been submitted to and approved in writing by the local planning authority a scheme of landscaping, which shall include :

a) indications of all existing trees and hedgerows on the land, together with measures for their protection in the course of development

b) the design and contouring of the bunding around the extended site.

c) a detailed schedule of the proposed planting in respect of the bunding, the grass and wildflower meadow and wild bird seed meadow including description of species and planting numbers.

Reason: In order to protect the visual amenities and enhance the ecological value of the area.

5 - G05 (Implementation of landscaping scheme (general))

Reason: In order to protect the visual amenities of the area and enhance the ecological value of the area.

6 - No development shall take place until a scheme for the adequate protection of the adjacent Special Wildlife Site during the course of construction has been submitted to and approved in writing by the local planning authority and implemented in accordance with the details approved.

Reason: In recognition of the nature conservation interest of the adjacent Special Wildlife Site.

- 7 - Upon completion of the development hereby approved, the six metre wide margin between the site and the adjacent Special Wildlife Site shall be left to regenerate into scrub in accordance with the recommendations set out in the Herefordshire Farming and Wildlife Group Ltd report received by the local planning authority on 8 May 2003. This area shall thereafter be maintained as a permanent extension to the Special Wildlife Site.

Reason: In recognition of the nature conservation interest of the adjacent Special Wildlife Site.

- 8 - The management systems relating to noise control and the treatment of bedding litter and other waste shall be carried out in strict accordance with the details and specifications set out in the Environmental Statement received on 8 May 2003 unless otherwise agreed in writing by the local planning authority.

Reason : To safeguard the amenity of the area.

- 9 - H05 (Access gates) 10 metres

Reason: In the interests of highway safety.

- 10 - H13 (Access, turning area and parking)

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

Note to applicants :

- 1 - HN01 - Mud on highway

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

2. NW2003/1849/F - DEMOLITION OF EXISTING GRANARY & CONSTRUCTION OF TWO BEDROOMED ANCILLARY ANNEXE AT WENNETUNE HOUSE, WOONTON, HEREFORDSHIRE, HR3 6QN

For: Mr AN Jaques at above address

Date Received:
19th June 2003

Expiry Date:
14th August 2003

Ward:
Castle

Grid Ref:
35277, 52308

Local Member: Councillor J Hope

1. Site Description and Proposal

- 1.1 Wennetune House (formerly known as Little Woonton Farm) comprises a large detached property alongside which stands a disused timber framed brick and weatherboarded granary. At right angles and to the rear of the granary is a stone built garage. The site occupies a prominent location to the north of the A480. To the east is a Grade II listed cottage (White Rails) and immediately to the north is a complex of converted barns part of which was granted permission to be rebuilt (Application No. NW2001/3214/F refers).
- 1.2 Planning permission is sought to demolish the granary and replace it with a similar building in terms of design and materials. The building would be used as a granny annexe to house the applicants parents. It would have a slightly bigger footprint measuring 11 metres by 7 metres with a maximum height of 5.5 metres approximately 0.5 metres higher than the existing granary.
- 1.3 The design has been the subject of pre-application discussion and the applicant accepts that any grant of planning permission would be subject of a restrictive condition requiring the new building to be used for ancillary accommodation only and not allowing it to be sold separately from the principal dwelling.

2. Policies

Hereford & Worcester County Structure Plan

Policy H16 A Housing in Rural Areas
Policy H20 Housing in Rural Areas Outside the Green Belt
Policy CTC9 Development Requirements

Leominster District Local Plan (Herefordshire)

Policy A1 Managing the Districts Assets & Resources
Policy A2(d) Settlement Hierarchy
Policy A18 Listed Buildings and their Setting
Policy A19 Other Buildings Worthy of Retention
Policy A24 Scale and Character of Development
Policy A54 Protection of Residential Amenity
Policy A56 Alterations, Extensions and Improvements to Dwellings
Policy A70 Accommodating Traffic from Development

Herefordshire Unitary Development Plan (Deposit Draft)

Policy S2	Development Requirement
Policy S7	Natural and Historic Heritage
Policy DR1	Design
Policy DR4	Environment
Policy H18	Alterations and Extensions
Policy HBA8	Locally Important Buildings

3. Planning History

3.1 None relevant to the application site.

4. Consultation Summary

4.1 Environment Agency - raises no objection but recommends the imposition of a condition requiring a scheme of foul drainage to be submitted.

4.2 Responses by internal consultees that raise material planning issues are considered in the Officers Appraisal.

5. Representations

5.1 Almeley Parish Council state :

'This is not a request for a re-construction of the existing granary; it seems to be a request for a completely new building for a separate dwelling. The new building is to be a larger in scale and in a totally different style from the original. Change of use cannot be applied for if the building is demolished. If the granary is beyond repair, then it should be made safe/demolished, but these are not grounds for the building of a new dwelling in the Woonton area. The only link between the old building and the new house/annexe will be the land on which it stands. There has not been even an attempt to use the existing building, as the new one will be larger. If the new 'house' is later sold off, it would become yet another new separate dwelling in the Woonton area which would join those that have slipped through the net. Restrictions on new houses in Woonton means that a new, larger building is not an option. Any improvements would also mean the Planning Committee stipulating that it would be an annexe. Demolition of the granary would also mean the loss of half cruck beams as they would not fit the proposed new building, and the loss of a feature. When the building was bought by the present owner, the building was in site and should not be demolished. It is surprising that the farm building is not listed as the upper crucks may predate 1700. It is suggested that the historical value of this property is explored before consent is considered for its demolition.'

5.2 The full text of these letters can be inspected at Northern Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

6. Officers Appraisal

6.1 The key issue for consideration in the determination of this application are as follows :

a) the principle of demolition having regard to the character and appearance of the existing granary and ;

b) the impact of the proposed replacement building upon the character and appearance of the locality and the setting of the adjacent listed building.

Principle of Demolition

- 6.2 Policy A19 of the Leominster District Local Plan (Herefordshire) affords protection, subject to criteria, to unlisted buildings that are worthy of retention. In the light of the responses from the Parish Council and comments from the Chief Conservation Officer particular emphasis has been given to the historic importance of the building and the feasibility of its conversion to provide ancillary accommodation.
- 6.3 The granary building in its current form is visually untidy and whilst its presence does contribute to this group of partly converted farm buildings, it is not considered that its retention is an issue that could reasonably be insisted upon under the terms of Policy A19. Material considerations in reaching this view are the unlisted status of the building, the fact that there is no designated conservation area for Woonton and the extensive repairs that have been undertaken which means that much of the original historic fabric (roof, infill panels and cladding) have been replaced over the years.
- 6.4 Furthermore, the applicant has advised that quotes of between £140,000 and £180,000 to convert the structure were obtained whereas the estimate for demolition and rebuild would be approximately £100,000. In the applicants view the cost of conversion would be too great in view of the ancillary nature of the intended use and since the existing building would not provide adequate accommodation, the alternative would be further deterioration and ad hoc repairs in order to retain the building in a safe condition.
- 6.5 In the light of the above it is considered that the most appropriate approach is demolition and replacement with an appropriately designed building. This would at the very least preserve the historic appearance of the group of buildings.

Impact on Character and Appearance of Locality/Setting of Listed Building

- 6.6 The proposed replacement building has been designed to reflect as closely as possible the appearance of the existing granary building. Accordingly it utilises brick, weatherboarding and would have a slate roof to replace the existing corrugated sheeting.
- 6.7 In order to provide adequate accommodation, the opportunity has been taken to slightly increase the footprint and as a result the overall height of the building would be some 0.5 metres higher than the original. This would still respect the scale of the adjacent farmhouse and converted buildings and would not in your officers view have such a significant impact on the nearby listed cottage so as to warrant the refusal of planning permission.
- 6.8 Overall, subject to conditions relating to external materials and a restriction on the ancillary use of the replacement building, it is considered that this proposal would accord with relevant development plan policies. In addition the Chief Conservation Officer has indicated evidence relating to the presence of nesting swallows/housemartins and the potential for the existing granary to be used as a feeding site for bats. Accordingly, conditions have been set out below which address the comments made.

RECOMMENDATION

That planning permission be granted subject to the following conditions :

- 1 - **A01 (Time limit for commencement (full permission))**

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

- 2 - **B01 (Samples of external materials)**

Reason: To ensure that the materials harmonise with the surroundings.

- 3 - **The building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Wennetune House and shall not be sold, leased or let separately from the principal dwelling.**

Reason: It would be contrary to the policy of the local planning authority to grant planning permission for a separate dwelling in this location.

- 4 - **F18 (Scheme of foul drainage disposal)**

Reason: In order to ensure that satisfactory drainage arrangements are provided.

- 5 - **No works in relation to the demolition of the granary shall be undertaken between the months of March and September of the year in which demolition is carried out, unless otherwise agreed in writing with the local planning authority.**

Reason: To ensure the preservation of any nesting swallows/housemartins.

- 6 - **Prior to the commencement of the development hereby approved a scheme for the provision of swallows and housemartins nest boxes and an appropriate number of bat boxes shall be submitted to and approved in writing by the local planning authority and the mitigation measures shall be provided and thereafter maintained in accordance with the approved details.**

Reason: In recognition of the nature conservation interest of the site.

Note to applicant :

- 1 - **If you have any queries regarding the provision of details relating to Condition 6, please contact the Councils Ecologist at Planning Services, PO Box, 144, Hereford HR1 2ZB (Tel. 01432 383507).**

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

3. NC2003/1850/F - PROPOSED BUILDING PACKING HYDROPONIC PRODUCE, EGG GRADING, COLD STORE, PACKAGE STORE AND SMALL WORKSHOP AT LYNCROFT, BADLEY WOOD, WHITBOURNE, WORCESTER, WR6 5SJ

For: Mr L R Roper at above address.

Date Received:
19th June 2003

Expiry Date:
14th August 2003

Ward:
Bringsty

Grid Ref:
69394, 57380

Local Member: Councillor T W Hunt

1. Site Description and Proposal

- 1.1 Lyncroft is an agricultural unit which, extends to about 3.3 hectares, located on Badley Wood Common, in open countryside which is designated as being of Great Landscape Value. The agricultural enterprise consists of production of herbs and a variety of salad crops which are grown in 2 polytunnels using a hydroponic system (plants that are grown in a soil-free system), egg grading and packing, and sheep grazing. There is also a mobile home on the site. Lincetter Farm is some 320 metres to the west.
- 1.2 The area is predominantly open fields with hedges of natural vegetation, trees and shrubs associated with the common. It has a particular landscape value with a number of tracks leading to wooded areas.
- 1.3 The proposed building, 18.2m x 9.1m, 3.6m to the eaves and 0.8m to ridge, is to be located behind a high hedge that runs alongside a recently tarmaced road that leads to Lincetter Farm. The building is to be used for the packing of hydroponic produce, egg grading, cold storage, package store and small workshop. The building is to be located adjacent to the site entrance.

2. Policies

PPG 7 The Countyside - Environmental Quality and Economic and Social Development.

Hereford & Worcester County Structure Plan

Policy CTC 2 Development in Areas of Great Landscape Value

Policy A3 Construction of Agricultural Buildings

Malvern Hills District Local Plan

Landscape Policy 1 Development Outside of Settlement Boundaries

Landscape Policy 3 Development in Areas of Great Landscape Value

Landscape Policy 7 Agricultural and Forestry Buildings and Roads

Herefordshire Unitary Development Plan (Deposit Draft)

Policy LA2 Landscape Character and Areas Least Resilient to Change

Policy E13 Agricultural & Forestry Developments

3. Planning History

- 3.1 MH92/0694 - Portacabin and ancillary buildings for free range egg production - Refused 6 October 1992.
- 3.2 MH96/0646 - Mobile Home - Approved 10 December 1996. (Temporary Planning permission for 3 years only) .
- 3.3 NC1999/2294/F - Agricultural Workers Dwelling - Refused 24 November 1999.
- 3.4 NC2000/1404/F - Retention of Mobile Home, Hen House, 2 Portacabins and 2 Gardens Sheds - Refused 22 August 2000.
- 3.5 NC2001/0174/F - Retention of Mobile Home, Hen House, 2 Portacabins and 2 Gardens Sheds - Refused 3 April 2001 - Appeal Allowed 12 November 2001 for 3 years only.

4. Consultation Summary

- 4.1 No statutory or non-statutory consultations required.

5. Representations

- 5.1 Whitbourne Parish Council - no objection.
- 5.2 The applicant has said:
 - a) the barn will replace 2 existing portacabins;
 - b) the barn will be partitioned into the following sections egg grading, packaging material, cold store and small workshop;
 - c) these facilities will enable me to meet new egg marketing regulations, facilitate the current production capacity and will allow the expansion of the business;
 - d) the business currently supplies a number of local establishments (21 shops and 3 restaurants) with a mix of hydroponically produced market garden produce.
- 5.3 Letter of objection received from Mr & Mrs JE Galvin, Lincetter Farm, Badley Wood, Whitbourne who make the following comments :
 - a) Since moving to Lincetter Farm we have suffered the negative visual impact off a series of temporary structures used to support Mr Roper's enterprises. These include ; mobile chicken sheds, mobile home, portacabins, polythene tunnels, derelict single decker bus and the removal of sections of ancient hedgerow.
 - b) The application is for an industrial unit ill suited for such an area and will be clearly visible from Lincetter Farm
 - c) The road network is inadequate to serve this proposal.
- 5.4 The full text of these letters can be inspected at Planning Services, Blueschool House, Blueschool Street, Hereford, and prior to the Sub-Committee meeting.

6. Officers Appraisal

- 6.1 The Malvern Hills District Local Plan, Landscape Policy 7 deals specifically with proposals for agricultural development setting a criterion for consideration. The Policy permits development where it forms part of a group of buildings where practicable and relates to existing buildings in terms of size and colour, it is not located on a skyline and is consistent in scale and design with the agricultural forestry use or purposes in connection with which it is proposed, and does not conflict with Landscape Policy 2 and other relevant plan policies.
- 6.2 In terms of its visual impact on the character of the area, it is acknowledged that the site is located within an area of attractive, undulating countryside, characterised by a rich mixture of grass fields, woodland, substantial field boundary hedgerows and presently overgrown common land. In this context the mobile home and collection of associated buildings are generally well screened from public vantage points by substantial encircling boundary planting which reduce their impact on the landscape quality of the area. They are none the less open to views from the west and from Lincetter Farm. However, given that Lincetter Farm is some 320metres to the west of the site it is not considered the siting of this building will adversely affect the amenities of that dwelling. The proposed building is to be located behind a high roadside hedge, which forms a substantial screen to the site. The design and scale of the building is consistent with and is not untypical of many similar functional agricultural buildings on this site, and others elsewhere on Badley Wood Common. Further, the siting of the building will not compromise the agricultural function it is intended to serve.
- 6.3 The mobile home was allowed on Appeal, under ref. NC2001/0174/F for 3 years only. This is due to expire on 16 November 2004. In allowing the appeal the Inspector considered a 3 year temporary permission would give the applicant sufficient time to establish the agricultural enterprise. This building will help in achieving this objective.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1 - **A01 (Time limit for commencement (full permission))**
Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.
- 2 - **B01 (Samples of external materials)**
Reason: To ensure that the materials harmonise with the surroundings.

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

4. NC2003/2317/F - CREATION OF NEW ACCESS ONTO CHAPEL LANE LAND AT POOL HEAD ADJOINING CHAPEL LANE BETWEEN MAUNDFIELD HOUSE AND MAUNDFIELD COTTAGE, BODENHAM, HEREFORDSHIRE.

For: Mr A Johns, 40 Queensway, Hereford, HR1 1HF

Date Received:
31st July 2003

Expiry Date:
25th September 2003

Ward:
Hampton Court

Grid Ref:
55420, 50531

Local Member: Councillor K Grumbley

1. Site Description and Proposal

- 1.1 The site is an orchard located between Maundfield House and Maundfield Cottage, on the north side of Chapel Lane, almost opposite Bodenham Grain Store. There is already access into the orchard, which is located close to the boundary of the site with Maundfield Cottage. There is a public bridle path opposite. The site is located in open countryside.
- 1.2 The proposed access is to be located adjacent to the western boundary close to Maundfield House. The access will require 18.6m of boundary hedge to be removed so as to provide a suitable splayed entrance.

2. Policies

PPG 13 - Transport

Leominster District Local Plan
A24 – Scale and Character of Development

3. Planning History

NC2003/1503/F – Creation of new access onto Chapel Lane – Refused 30th June 2003 for the following reason:

The layout indicated on the deposited plan accompanying this application is at variance with the requirement of the County Council's Design Guide and Specification for Residential Roads. As a consequence the proposal be contrary to the interests of highway safety.

4. Consultation Summary

- 4.1 No statutory or non-statutory consultations are required.
- 4.2 Responses by internal consultees that raise material planning issues are summarised and considered in the Officers Appraisal.

5. Representations

5.1 Bodenham Parish Council – no reply received at time of writing report.

5.2 The applicant has said:

“The existing entrance is on bad bend and when entering the site with a large horse box, I am not able to do so without making a wide turn. This causes any foreign traffic to stop immediately and is quite dangerous.”

5.3 Letters of objection have been received from:

J D Lewis, Gritt Farm, Bodenham
M Lewis, Maundfield House, Chapel Lane, Bodenham
T V James-Moore, Houghton Court, Bodenham

Their comments are as follows:

- a) There is already access into this orchard
- b) The access is in a dangerous position
- c) Chapel Lane is very busy – traffic using the grain store and the lane is used as a ‘rat run’.
- d) There have been traffic accidents close to the site.

5.4 The full text of these letters can be inspected at Planning Services, Blueschool House, Blueschool Street, Hereford, and prior to the Sub-Committee meeting.

6. Officers Appraisal

6.1 This application has been submitted following the refusal of NC2003/1503/F which was for an access to be located almost opposite the entrance to the Bodenham Grain Store. The application was refused on the recommendation of the Transportation Manager. While, there is access into the orchard it does not have planning permission and the applicant has been told, following investigation by the Enforcement Officer, it must be closed, as it is a danger to highway safety.

6.2 Following the refusal of NC2003/1503/F the applicant negotiated this alternative proposal with the Transportation Manager, who considers the relocation of the access removes the crossroads effect from the public bridle path, which is opposite. The creation of the stagger also increases the amount of visibility to the east. These amendments now mean that the application is in accordance with the principles of the Design Guide and will mean that the applicant will not use the more difficult shared access to the east.

6.3 The judgement therefore only relates to the visual impact of the access. In order to construct the entrance an 18.6metre length of hedge will need to be removed. The hedge is a mix of hawthorn and spindly trees and is in poor condition through lack of maintenance. While, the removal of the hedge will have an impact on the visual amenity of the area it will not cause demonstrable harm to the character or appearance of the area. The planting of a native species hedge behind the splayed entrance can mitigate the loss of this section of hedge.

RECOMMENDATION

That planning permission be granted subject to the following condition:

- 1 - **A01 (Time limit for commencement (full permission))**

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

- 2 - **H01 - Single access - not footway**

Reason: In the interests of highway safety.

- 3 - **H05 - Access gates**

Reason: In the interests of highway safety.

- 4 - **H08 - Access closure**

Reason: To ensure the safe and free flow of traffic using the adjoining County highway.

- 5 - **Prior to the access being brought into use a native species hedgerow shall be planted along the rear of the visibility splay, in accordance with details to be submitted to and approved in writing by the local planning authority.**

Reason: In order to protect the visual amenities of the area.

- 6 - **G05 - Implementation of landscaping scheme (general) (Amended)**

Reason: In order to protect the visual amenities of the area.

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

Document is Restricted

