

# A G E N D A

## Planning Committee

Date: **Friday, 14th November, 2008**

---

Time: **10.00 a.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:*

*Pete Martens, Committee Manager Planning &  
Regulatory, Tel 01432 260248  
E-mail: [pmartens@herefordshire.gov.uk](mailto:pmartens@herefordshire.gov.uk)*

---

### Herefordshire Council



# AGENDA

## for the Meeting of the Planning Committee

To: Councillor TW Hunt (Chairman)  
Councillor RV Stockton (Vice-Chairman)

Councillors ACR Chappell, PGH Cutter, H Davies, GFM Dawe, DW Greenow, KS Guthrie, JW Hope MBE, B Hunt, G Lucas, RI Matthews, PM Morgan, JE Pemberton, AP Taylor, DC Taylor, WJ Walling, PJ Watts and JD Woodward

### 1. APOLOGIES FOR ABSENCE

To receive apologies for absence.

### 2. NAMED SUBSTITUTES (IF ANY)

To receive details any details of Members nominated to attend the meeting in place of a Member of the Committee.

### 3. DECLARATIONS OF INTEREST

To receive any declarations of interest by Members in respect of items on the Agenda.

#### GUIDANCE ON DECLARING PERSONAL AND PREJUDICIAL INTERESTS AT MEETINGS

The Council's Members' Code of Conduct requires Councillors to declare against an Agenda item(s) the nature of an interest and whether the interest is personal or prejudicial. Councillors have to decide first whether or not they have a personal interest in the matter under discussion. They will then have to decide whether that personal interest is also prejudicial.

A personal interest is an interest that affects the Councillor more than most other people in the area. People in the area include those who live, work or have property in the area of the Council. Councillors will also have a personal interest if their partner, relative or a close friend, or an organisation that they or the member works for, is affected more than other people in the area. If they do have a personal interest, they must declare it but can stay and take part and vote in the meeting.

Whether an interest is prejudicial is a matter of judgement for each Councillor. What Councillors have to do is ask themselves whether a member of the public – if he or she knew all the facts – would think that the Councillor's interest was so important that their decision would be affected by it. If a Councillor has a prejudicial interest then they must declare what that interest is and leave the meeting room.

### 4. MINUTES

To approve and sign the Minutes of the meeting held on 26th September, 2008.

Pages

1 - 12

<b>5. CHAIRMAN'S ANNOUNCEMENTS</b>	
To receive any announcements from the Chairman.	
<b>6. NORTHERN AREA PLANNING SUB-COMMITTEE</b>	13 - 14
To receive the attached report of the Northern Area Planning Sub-Committee meetings held on 24 September & 22 October 2008.	
<b>7. CENTRAL AREA PLANNING SUB-COMMITTEE</b>	15 - 16
To receive the attached report of the Central Area Planning Sub-Committee meetings held on 1 October and 5 November.	
<b>8. SOUTHERN AREA PLANNING SUB-COMMITTEE</b>	17 - 18
To receive the attached report of the Southern Area Planning Sub-Committee meeting held on 15 October 2008.	
<b>9. WEST MIDLANDS REGIONAL SPATIAL STRATEGY: PHASE TWO REVISION</b>	19 - 26
To determine a response to the updated Phase Two Revision of the Regional Spatial Strategy in the light of the proposed revised housing allocations published on 7 October 2008.	
<b>10. ANNUAL MONITORING REPORT 2007 - 2008</b>	27 - 88
To consider the Annual Monitoring Report for 2007-2008.	
<b>11. POLYTUNNELS SUPPLEMENTARY PLANNING DOCUMENT</b>	89 - 198
To inform members of the comments received to the Draft Polytunnels Supplementary Planning Document (SPD) published for consultation purposes in June 2008 and to consider appropriate changes.	
<b>12. DEVELOPMENT CONTROL: HALF ANNUAL REPORT FOR 2008/09</b>	199 - 204
To inform members about development control performance for the first six months of 2008/09.	
<b>13. DCNW2008/1807/F - RETROSPECTIVE APPLICATION FOR CHANGE OF USE (TEMPORARY) OF LAND FROM AGRICULTURAL TO A ONE FAMILY TRAVELLERS SITE INCLUDING THE STATIONING OF ONE CARAVAN AND ANCILLARY STRUCTURE AT LOWER FIELD, ASH FARM, BARNET LANE, WIGMORE, HEREFORDSHIRE, HR6 9UJ</b>	205 - 214
For: Ms A. Cleverly per Hereford Travellers Support, Trefoil, Brinsop, Herefordshire, HR4 7AS	
To consider an application which has been referred to the Committee because the Northern Area Planning Sub-Committee was mindful to refuse it contrary to recommendation.	

**Ward: Mortimer**

14. **DCCE2008/2464/L - INTERNAL REPAIRS AND IMPROVEMENTS TO A LISTED BUILDING. CASTLE CLIFFE, 14-16 QUAY STREET, HEREFORD, HEREFORDSHIRE, HR1 2NH** 215 - 220

For: Cllr. M Hubbard, Castle Cliffe, 14-16 Quay Street, Hereford, HR1 2NH

To consider an application which has been referred to the Committee because it is from a Member of the Council.

**Ward: Central**

15. **DATES OF FORTHCOMING MEETINGS**

09/01/09; 20/02/09 and 03/04/09.



# **The Public's Rights to Information and Attendance at Meetings**

## **YOU HAVE A RIGHT TO: -**

- Attend all Council, Cabinet, Committee and Sub-Committee meetings unless the business to be transacted would disclose 'confidential' or 'exempt' information.
- Inspect agenda and public reports at least five clear days before the date of the meeting.
- 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.
- Access to a public Register stating the names, addresses and wards of all Councillors with details of the membership of Cabinet and of all Committees and Sub-Committees.
- 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.
- Copy any of the documents mentioned above to which you have a right of access, subject to a reasonable charge (20p per sheet subject to a maximum of £5.00 per agenda plus a nominal fee of £1.50 for postage).
- Access to this summary of your rights as members of the public to attend meetings of the Council, Cabinet, Committees and Sub-Committees and to inspect and copy documents.

## **Please Note:**

Agenda and individual reports can be made available in large print. Please contact the officer named on the front cover of this agenda **in advance** of the meeting who will be pleased to deal with your request.

The meeting venue is accessible for visitors in wheelchairs.

A public telephone is available in the reception area.

## **Public Transport Links**

- Public transport access can be gained to Brockington via the service runs approximately every half hour from the 'Hopper' bus station at the Tesco store in Bewell Street (next to the roundabout junction of Blueschool Street / Victoria Street / Edgar Street).
- The nearest bus stop to Brockington is located in Old Eign Hill near to its junction with Hafod Road. The return journey can be made from the same bus stop.

If you have any questions about this agenda, how the Council works or would like more information or wish to exercise your rights to access the information described above, you may do so either by telephoning the officer named on the front cover of this agenda or by visiting in person during office hours (8.45 a.m. - 5.00 p.m. Monday - Thursday and 8.45 a.m. - 4.45 p.m. Friday) at the Council Offices, Brockington, 35 Hafod Road, Hereford.



## **COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL**

**BROCKINGTON, 35 HAFOD ROAD, HEREFORD.**

### **FIRE AND EMERGENCY EVACUATION PROCEDURE**

In the event of a fire or emergency the alarm bell will ring continuously.

You should vacate the building in an orderly manner through the nearest available fire exit.

You should then proceed to Assembly Point J which is located at the southern entrance to the car park. A check will be undertaken to ensure that those recorded as present have vacated the building following which further instructions will be given.

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.



HEREFORDSHIRE COUNCIL

**MINUTES of the meeting of Planning Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Friday, 26 September 2008 at 10.00 a.m.**

**Present:** Councillor TW Hunt (Chairman)  
Councillor RV Stockton (Vice Chairman)

**Councillors:** ACR Chappell, PGH Cutter, GFM Dawe, PJ Edwards, KS Guthrie, JW Hope MBE, B Hunt, R Mills, JE Pemberton, AP Taylor, DC Taylor, WJ Walling and PJ Watts

**In attendance:** Councillors WLS Bowen and RC Hunt

**40. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors H Davies, DW Greenow, G Lucas, RI Matthews and PM Morgan.

**41. NAMED SUBSTITUTES (IF ANY)**

The following named substitutes were appointed:-

Councillor PJ Edwards for Councillor RI Matthews.  
Councillor R Mills for Councillor G Lucas.

**42. DECLARATIONS OF INTEREST**

The following interests were declared

<b>Councillor</b>	<b>Item</b>	<b>Interest</b>
PJ Edwards	Agenda item No. 9, Minute No. 48 (Model Farm Supplementary Planning Document)	Personal
PGH Cutter	Item 12, Minute No 51 - DCSE2008/1827/CD - new school hall in school grounds, St Josephs RC. Primary School, The Avenue, Ross-On-Wye, Herefordshire, HR9 5AW	Personal
Councillor GFM Dawe	Agenda item No. 11, Minute No. 50 DCNC2008/1934/CD - proposed redevelopment of The Minster College. Minster College, South Street, Leominster, Herefordshire, HR6 8JJ	Personal

**43. MINUTES**

**RESOLVED:** That the Minutes of the meeting held on 15th August, 2008 be approved as a correct record and signed by the Chairman, subject to the inclusion of the name of Councillor RI Matthews in the list of apologies and also that Councillor PJ Edwards was appointed as named substitute for him at the meeting.

**44. CHAIRMAN'S ANNOUNCEMENTS****REEVES HILL WIND TURBINE**

The planning application for the erection of 4 wind turbines at Reeves Hill in the northwest of the County was likely to be submitted to the meeting of the Committee in November. It was agreed that the site visit should be undertaken on 24 October 2008.

**VISIT TO WYCHAVON DISTRICT COUNCIL**

On 11 September the Planning Chairman's Group visited Wychavon District Council as part of its study into how other Planning Authorities deal with planning applications. The Council has a single Planning Committee and the Group observed the practical issues involved and how the process relates to Wychavon's Scheme of Delegation to Officers.

**45. NORTHERN AREA PLANNING SUB-COMMITTEE**

**RESOLVED:** That the report of the meeting held on 27th August 2008 be received and noted.

**46. CENTRAL AREA PLANNING SUB-COMMITTEE**

**RESOLVED:** That the report of the meeting held on 3rd September 2008 be received and noted.

**47. SOUTHERN AREA PLANNING SUB-COMMITTEE**

**RESOLVED:** That the report of the meetings held on 20th August 17th September 2008 be received and noted.

**48. MODEL FARM SUPPLEMENTARY PLANNING DOCUMENT**

A report was presented the Team Leader Local Planning about comments received on the Draft Model Farm Supplementary Planning Document (SPD) which went out to consultation in June. He said that the document was included within the Council's Local Development Scheme (January 2008) and was produced in line with the regulations of the new planning system introduced under the Planning and Compulsory Purchase Act 2004. He advised that the site of some 15 hectares had been identified in the Herefordshire Unitary Development Plan (UDP) under policy E3 as an allocated employment site. The SPD had been prepared by consultants on behalf of Ross Area Partnership and Herefordshire Council. It had been produced to expand upon and provide additional information and guidance in support of policies contained within the UDP. Its main aims were to:

- provide guidance on the existing planning policy framework which would influence the delivery of any future planning application;
- identify the development requirements and constraints of the site;

- provide guidance on the delivery of high quality design and landscaping principles for the site;
- provide guidance on the delivery of access and movement to, from and within the site; and
- ensure that the development can become fully integrated with the surrounding area.

The Team Leader Local Planning explained the innovative nature of the scheme which was aimed at diversification and growth of a rural economy. He said that it was aimed at providing the type of employment suited to the locality and making the best use of the land to achieve a balanced live/work concept. The Head of Planning and Transportation said that the document was a first class piece of work for the development of a key area of land within the County, carried out in collaboration with key stake holders. He also said that there would be high expectations of the quality of the ensuing scheme.

Councillor ACR Chappell congratulated the officers on the quality of the proposals and recognised the hard work and also the difficulties that had to be overcome to lead to the scheme coming to fruition. Councillor GFM Dawe asked about the views of the public on the green issues. The Team Leader, Local Planning said that there was a carefully designed buffer zone between the site and the town which would help to provide an attractive landscaped approach to it, including pathways and cycle ways. The use of the site would be light industrial which would be of more benefit to the local community and the environment. Councillor PJ Edwards hoped that there would be a speed limit as appropriate on the approach roads to the site but welcomed the pedestrian and cycle links together with the safe crossing proposals for the A40. Councillor PGH Cutter welcomed the scheme and felt that there had been a good consultation outcome with the proposals having met with the approval of the majority of local people.

The committee has expressed its appreciation for the hard work undertaken by the Officers and approved the proposed amendments set out within the report of the Planning Policy Manager.

#### **RESOLVED THAT**

**It be recommended to the Cabinet Member (Environment and Strategic Housing) that the changes to the draft Model Farm Supplementary Planning Document, as identified in the report of the Planning Policy Manager, be approved and that the document be adopted as part of the Councils Local Development Framework.**

**Councilor GFM Dawe voted against**

**49. DCNC2008/1824/O - SITE FOR DEVELOPMENT TO FORM 21 APARTMENTS AT PINSLEY WORKS, PINSLEY ROAD, LEOMINSTER, HEREFORDSHIRE, HR6 8NX**

The Central Team Leader presented a report of the Head of Planning and Transportation. He said that at its meeting on 27 August 2008, the Northern Area Planning Sub Committee was mindful to refuse the application contrary to Council policy and officer advice. He reported the receipt of a letter from the applicant's agent, stating that the previous planning permission for four dwellings could not be implemented as approved due to the proximity of a sewer which has a no-

development zone around it. He suggested the inclusion of an additional condition if permission was granted, to deal with surface water drainage issues In order to minimise any flood risk to third parties.

In accordance with the criteria for public speaking, Mr Tomkins, the applicant spoke in favour of the application.

Councillor RC Hunt, the local ward member said that he was totally opposed to the scheme which he felt was out of keeping with the surroundings, would dominate the area and was in conflict with the Conservation Area, Millennium Green and The Grange. He also felt that they density was too high, that there would be problems with the approach roads to the site which were narrow and restricted; and that a potential risk of flooding existed. Councillor Mrs J Pemberton asked about the views of the Head of Environmental Health and Trading Standards and was advised that comments were awaited. Councillors R Mills, PJ Watts and WJ Walling supported the local ward member and felt that the scale and setting of the proposals would be detrimental and would have an adverse effect on the local distinctiveness of the area. Four storeys was thought by them to be too high and out of keeping with other buildings.

The Central Team Leader said that the officers viewed the site as slightly separate from the adjoining residential area and that it fitted in with the scale and the size of Pinsley Mill and other buildings nearby. The density complied with the provisions of the Herefordshire Unitary Development Plan, as did the issues of amenity, car parking access and open space. There would be a noise barrier on the northern side of the footpath to reduce the impact of the adjacent railway line. The public footpath had been integrated into the scheme to give security but at the same time provide an open aspect. Councillor RV Stockton pointed out that there had been considerable negotiations leading to the current proposals which he felt to be acceptable in respect of all the comments that had been raised.

Having considered all the different aspects of the application and comments made, the Committee decided that it should be approved.

**RESOLVED**

**That planning permission be granted subject to the following conditions:**

- 1. A02 (Time limit for submission of reserved matters (outline permission) )**

**Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.**

- 2. A03 (Time limit for commencement (outline permission) )**

**Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.**

- 3. A04 (Approval of reserved matters )**

**Reason: To enable the local planning authority to exercise proper control over these aspects of the development and to secure compliance with policy DR1 of the Herefordshire Unitary Development Plan.**

- 4. A05 (Plans and particulars of reserved matters )**

**Reason: Required to be imposed by Section 92 of the Town and Country**

Planning Act 1990.

5. B07 (Section 106 Agreement )

Reason: In order to provide [enhanced sustainable transport infrastructure, educational facilities, improved play space, public art, waste recycling and affordable housing] in accordance with Policy DR5 of the Herefordshire Unitary Development Plan 2007.

6. C01 (Samples of external materials )

Reason: To ensure that the materials harmonise with the surroundings so as to ensure that the development complies with the requirements of Policy DR1 of Herefordshire Unitary Development Plan.

7. I13 (Scheme to protect new dwellings from road noise )

Reason: To protect the residential amenities of the future occupiers of the properties and to comply with Policy DR13 of Herefordshire Unitary Development Plan.

8. I16 (Restriction of hours during construction )

Reason: To protect the amenity of local residents and to comply with Policy DR13 of Herefordshire Unitary Development Plan.

9. I44 (No burning of materials/substances during construction phase )

Reason: To safeguard residential amenity and prevent pollution and to comply with Policy DR4 of Herefordshire Unitary Development Plan.

10. I51 (Details of slab levels )

Reason: In order to define the permission and ensure that the development is of a scale and height appropriate to the site so as to comply with Policy DR1 of Herefordshire Unitary Development Plan.

11. 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 and to conform with the requirements of Policy T11 of Herefordshire Unitary Development Plan.

12. H27 (Parking for site operatives )

Reason: To prevent indiscriminate parking in the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.

13. H29 (Secure covered cycle parking provision )

Reason: To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.

**14 I20 – Scheme of surface water drainage**

**Reason:** In order to minimise flood risk to third parties.

**15. L01 (Foul/surface water drainage )**

**Reason:** To protect the integrity of the public sewerage system and to comply with Policy CF2 of Herefordshire Unitary Development Plan.

**16. L02 (No surface water to connect to public system )**

**Reason:** To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment so as to comply with Policy CF2 of Herefordshire Unitary Development Plan.

**17. L03 (No drainage run-off to public system )**

**Reason:** To prevent hydraulic overload of the public sewerage system and pollution of the environment so as to comply with Policy CF2 of Herefordshire Unitary Development Plan.

**18. Notwithstanding the plans hereby approved, the details of the fence between the site and the public footpath shall be submitted to and agreed in writing by the local planning authority, prior to the commencement of development. The development shall be carried out in accordance with the approved details and the works completed, before any of the apartments hereby approved are first occupied.**

**Reason:** To ensure that the public right of way is protected in accordance with Policy T6 of the Herefordshire Unitary Development Plan.

**Informatives:**

- 1. N15 - Reason(s) for the Grant of Planning Permission**
- 2. N19 - Avoidance of doubt - Approved Plans**
- 3. HN01 - Mud on highway**
- 4. HN04 - Private apparatus within highway**
- 5. HN05 - Works within the highway**
- 6. HN10 - No drainage to discharge to highway**
- 7. HN28 - Highways Design Guide and Specification**

**50. DCNC2008/1934/CD - PROPOSED REDEVELOPMENT OF THE MINSTER COLLEGE. MINSTER COLLEGE, SOUTH STREET, LEOMINSTER, HEREFORDSHIRE, HR6 8JJ**

The Central Team Leader said that a response had been received from the Commission for Architecture and the Built Environment (CABE). It raised concern about the vehicle domination of the South Street frontage, which weakened the ability to provide a positive and welcoming presence. With regard to the design,



issues were raised about the geometry of the building and the resultant outdoor spaces and the design and use of the internal space. A letter of objection had been received from the occupier of 67B South Street regarding the public rights of way which would be blocked; encroachment on the property, the boundary treatment (2.4m fence or wall) and security risk to the property from the compound for out of hours' deliveries. He said that clarification would be sought from the agent of the applicant in respect of the concerns that had been raised by the neighbour.

In accordance with criteria for public speaking, Mrs Pegg said that she did not object to the overall scheme but did object to the loss of the old grammar school building which was, she felt, a vital part of the Leominster street scene and merited conservation.

Councillor ACR Chappell agreed with the views of the objector and felt that the grammar school building should be kept for community use and integrated into the school village scheme in future.

The Central Team Leader explained the details of the proposals and said that unfortunately the best way of gaining access and parking for cars and coaches would be to lose the existing grammar school building. He said that there were no other satisfactory ways in which this problem could be overcome without causing problems in other more constrained streets near to the site. Councillor PJ Edwards welcomed the proposals and hoped that the scheme would be an innovative design with energy conservation measures which would be similar to those at the Whitecross school in Hereford. Councillor WJ Walling had reservations about such a large new complex on a constrained site and felt that an alternative site should have been chosen. The Central Team Leader said that the application had to be judged on its merits.

The Committee noted with regret that it would not be possible to retain the old grammar school building but felt that the application should be approved. Councillor GFM Dawe abstained from the voting on the application.

**RESOLVED**

**That planning permission be granted subject to the following conditions:**

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

**Reason: The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

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

**2 B03 (Amended plans )**

**Reason: The development hereby approved shall be carried out strictly in accordance with the amended plans received by the local planning authority on 27th August 2008.**

**Reason: To ensure the development is carried out in accordance with the amended plans and to comply with the requirements of Policy DR1 of Herefordshire Unitary Development Plan.**

**3 C01 (Samples of external materials )**

**Reason:** To ensure that the materials harmonise with the surroundings so as to ensure that the development complies with the requirements of Policy DR1 of Herefordshire Unitary Development Plan.

**4 G10 (Landscaping scheme )**

**Reason:** No development shall commence on site until a landscape design has been submitted to and approved in writing by the Local Planning Authority. The details submitted should include:

**Soft landscaping**

- a) A plan(s) showing details of all existing trees and hedges on the application site. The plan should include, for each tree/hedge, the accurate position, species and canopy spread, together with an indication of which are to be retained and which are to be removed.
- b) A plan(s) at a scale of 1:200 or 1:500 showing the layout of proposed tree, hedge and shrub planting and grass areas
- c) A written specification clearly describing the species, sizes, densities and planting numbers and giving details of cultivation and other operations associated with plant and grass establishment.

**Hard landscaping**

- a) Existing and proposed finished levels or contours
- b) The position, design and materials of all site enclosure (e.g. fences, walls)
- c) Car parking layout and other vehicular and pedestrian areas
- d) Hard surfacing materials
- e) Minor structures (e.g. play equipment, street furniture, lighting, refuse areas, signs etc.)

**Reason:** In order to maintain the visual amenities of the area and to conform with Policy LA6 of Herefordshire Unitary Development Plan.

**5 G11 (Landscaping scheme - implementation )**

**Reason:** In order to maintain the visual amenities of the area and to comply with Policy LA6 of Herefordshire Unitary Development Plan.

**6 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 and to conform with the requirements of Policy T11 of Herefordshire Unitary Development Plan

**7 H29 (Secure covered cycle parking provision )**

**Reason:** To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.

**8 H30 (Travel plans )**

**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 with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.

**9 H31 (Outline Travel Plan )**

**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 with the requirements of Policy DR3 of Herefordshire Unitary Development Plan

**10 I16 (Restriction of hours during construction )**

**Reason:** To protect the amenity of local residents and to comply with Policy DR13 of Herefordshire Unitary Development Plan.

**11 I18 (Scheme of foul drainage disposal )**

**Reason:** In order to ensure that satisfactory drainage arrangements are provided and to comply with Policy DR4 of Herefordshire Unitary Development Plan.

**12 I33 (External lighting)**

**Reason:** To safeguard the character and amenities of the area and to comply with Policy DR14 of Herefordshire Unitary Development Plan.

**13 I41 (Scheme of refuse storage (commercial) )**

**Reason:** In the interests of amenity and to comply with Policy DR4 of Herefordshire Unitary Development Plan.

**14 I44 (No burning of materials/substances during construction phase )**

**Reason:** To safeguard residential amenity and prevent pollution and to comply with Policy DR4 of Herefordshire Unitary Development Plan.

**15 The development hereby committed shall not commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall address all aspects of the proposal including the location of the site compound and gatemans compound. No construction works shall be carried out on the site unless the measures set out in the Approved Construction Management Plan are in operation.**

**Reason:** To protect the amenity of the local residents and to comply with Policy DR13 of the Herefordshire Unitary Development Plan.

**16 H27 (Parking for site operatives )**

**Reason:** To prevent indiscriminate parking in the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan

**17 H21 (Wheel washing )**

**Reason: To ensure that the wheels of vehicles are cleaned before leaving the site in the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan**

**INFORMATIVES:**

**N15 – Reason(s) for the Grant of Planning Permission**

**2 N13 - Control of demolition - Building Act 1984**

**3 N14 - Party Wall Act 1996**

**4 N19 - Avoidance of doubt - Approved Plans**

**5 HN01 - Mud on highway**

**6 HN04 - Private apparatus within highway**

**7 HN05 - Works within the highway**

**8 HN10 - No drainage to discharge to highway**

**9 HN22 - Works adjoining highway**

**10 HN26 - Travel Plans**

**11 HN27 - Annual travel Plan Reviews**

**12 HN28 - Highways Design Guide and Specification**

**51. DCSE2008/1827/CD - NEW SCHOOL HALL IN SCHOOL GROUNDS, ST JOSEPHS R.C. PRIMARY SCHOOL, THE AVENUE, ROSS-ON-WYE, HEREFORDSHIRE**

The Southern Team Leader presented the report of the head of planning and transportation.

In accordance with criteria for public speaking, Mrs Warwick and Mr Whitehead, local residents, spoke against the application and Mrs Davies, the head-teacher spoke in favour.

Councillor PGH Cutter, the Local Ward Member, said that he was in favour of the application and explained that the original school hall had been provided free of charge by St Josephs Convent but when the Convent had been sold for development purposes, it had been first rented to the school and then demolished for development and left the school without a suitable sports hall. He said that although there were objections from local residents about the out of school usage of the facilities, he was confident that these could be overcome by further negotiations, agreement and through the appropriate planning conditions. The Southern Team Leader said that a condition would be imposed to prevent 'light spillage' out of school hours from adversely affecting local residents. The Committee was satisfied that adequate steps would be taken to minimise the impact on local residents and agreed that the application should be approved.

**RESOLVED**

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. **C01 (Samples of external materials )**  
  
Reason: To ensure that the materials harmonise with the surroundings so as to ensure that the development complies with the requirements of Policy DR1 of Herefordshire Unitary Development Plan
3. **L01 (Foul/surface water drainage )**  
  
Reason: To protect the integrity of the public sewerage system and to comply with Policy CF2 of Herefordshire Unitary Development Plan.
4. **L02 (No surface water to connect to public system )**  
  
Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment so as to comply with Policy CF2 of Herefordshire Unitary Development Plan.
5. **L03 (No drainage run-off to public system )**  
  
Reason: To prevent hydraulic overload of the public sewerage system and pollution of the environment so as to comply with Policy CF2 of Herefordshire Unitary Development Plan.
6. **G10 (Landscaping scheme )**  
  
Reason: In order to maintain the visual amenities of the area and to conform with Policy LA6 of Herefordshire Unitary Development Plan.
7. **G11 (Landscaping scheme - implementation )**  
  
Reason: In order to maintain the visual amenities of the area and to comply with Policy LA6 of Herefordshire Unitary Development Plan.
8. **H29 (Secure covered cycle parking provision )**  
  
Reason: To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan
9. **I33 (External lighting)**  
  
Reason: To safeguard the character and amenities of the area and to comply with Policy DR14 of Herefordshire Unitary Development Plan.

**Informative(s):**

- 1. W01 - Welsh Water Connection to PSS**
- 2. N19 - Avoidance of doubt - Approved Plans**
- 3. N15 - Reason(s) for the Grant of Planning Permission**

**52. DATE OF NEXT MEETING**

14 November 2008

The meeting ended at 12.10 p.m.

**CHAIRMAN**

PLANNING COMMITTEE

14 NOVEMBER 2008

**REPORT OF THE NORTHERN AREA PLANNING  
SUB-COMMITTEE**

Meetings held on 24 September 2008 and 22 October 2008

---

**Membership:**

**Councillor JW Hope MBE (Chairman)**

**Councillor PJ Watts (Vice-Chairman)**

**Councillors LO Barnett, WLS Bowen, ME Cooper,  
JP French, JHR Goodwin, KG Grumbley, B Hunt, RC Hunt, TW Hunt,  
TM James, P Jones CBE, R Mills, PJ McCaull, PM Morgan, RJ Phillips, A  
Seldon, RV Stockton, J Stone, JK Swinburne.**

**PLANNING APPLICATIONS**

1. The Sub-Committee has dealt with the planning applications referred to it as follows:-
  - (a) applications approved as recommended - 5
  - (b) applications refused as recommended - 1
  - (c) applications deferred for further information/site inspection - 2
  - (d) applications approved or refused against officer recommendation - 3
  - (e) number of public speakers - 2 parish/town council representatives, 6 objectors and 7 supporters

**PLANNING APPEALS**

2. The Sub-Committee received information reports about 2 appeals received, and 6 determined (5 dismissed and 1 upheld).

**JW HOPE MBE  
CHAIRMAN  
NORTHERN AREA PLANNING SUB-COMMITTEE**

- **BACKGROUND PAPERS – Agenda for meetings held on 24 September 2008 and 22 October 2008.**





## REPORT OF THE CENTRAL AREA PLANNING SUB-COMMITTEE

Meetings held on 1 October and 5 November 2008

---

### Membership

#### Councillors:

**JE Pemberton (Chairman)**  
**GA Powell (Vice-Chairman)**

**PA Andrews, WU Attfield, DJ Benjamin, AJM Blackshaw, ACR Chappell, SPA Daniels, H Davies, GFM Dawe, PJ Edwards, DW Greenow, KS Guthrie, MAF Hubbard, TW Hunt (ex-officio), MD Lloyd-Hayes, RI Matthews, AT Oliver, SJ Robertson, RV Stockton (ex-officio), AP Taylor, AM Toon, NL Vaughan, WJ Walling, DB Wilcox and JD Woodward.**

### PLANNING APPLICATIONS

1. The Sub-Committee has met twice since the last report and dealt with the planning applications referred to it as follows:-
  - (a) applications approved as recommended - 3
  - (b) applications minded to approve, contrary to recommendation - 1 (not referred)
  - (c) applications minded to refuse, contrary to recommendation - 1 (referred)
  - (d) applications deferred for further discussions - 3
  - (e) site inspections agreed - 3 (1 in advance of report)
  - (f) number of public speakers - 13 (3 parish, 5 objectors, 5 supporters)

### PLANNING APPEALS

2. The Sub-Committee received information reports about 4 appeals that had been received and 12 appeals that had been determined (9 allowed, 2 dismissed, 1 withdrawn).

**JE PEMBERTON**  
**CHAIRMAN**  
**CENTRAL AREA PLANNING SUB-COMMITTEE**

- **BACKGROUND PAPERS – Agenda for the meetings held on 1 October and 5 November 2008**



PLANNING COMMITTEE

14 NOVEMBER 2008

**REPORT OF THE SOUTHERN AREA PLANNING  
SUB-COMMITTEE**

Meeting held on 15 October 2008

---

**Membership:**

**Councillors: Councillor PGH Cutter (Chairman)  
Councillors MJ Fishley (Vice-Chairman)**

**CM Bartrum, H. Bramer, BA Durkin, MJ Fishley, A.E. Gray, TW Hunt (Ex-officio), JA Hyde, JG Jarvis, G Lucas, PD Price, RH Smith, RV Stockton (Ex-officio), D.C. Taylor and J.B. Williams**

**PLANNING APPLICATIONS**

1. The Sub-Committee has dealt with the planning applications referred to it as follows:-
  - (a) applications approved - 5
  - (b) applications refused – 1
  - (c) applications minded to refuse, contrary to recommendation - 1 (not referred)
  - (d) applications deferred pending a site visit / further information - 2
  - (e) number of public speakers - 8 (4 supporters, 3 objectors, and 1 Parish Councillor)

**PLANNING APPEALS**

2. The Sub-Committee received information reports on 1 appeal received and 3 appeals determined (1 Withdrawn and 2 Upheld).

**PGH Cutter  
CHAIRMAN  
SOUTHERN AREA PLANNING SUB-COMMITTEE**

- **BACKGROUND PAPERS – Agenda for the meeting on 15 October 2008.**



## WEST MIDLANDS REGIONAL SPATIAL STRATEGY: PHASE TWO REVISION

**Report By: Head of Planning and Transportation**

### Wards Affected

Countywide

### Purpose

1. To determine a response to the updated Phase Two Revision of the Regional Spatial Strategy in the light of the proposed revised housing allocations published on 7 October 2008.

### Financial Implications

2. No direct financial implications.

### Background

3. The current version of the Regional Spatial Strategy (RSS) was issued by Government in 2004. An immediate phased review was commenced. The first phase – dealing with the Black Country – is complete. The second phase, the subject of this report, has now reached an advanced stage. It deals with housing, employment, the role of centres, waste and some aspects of transport. The third and final phase began in November 2007 and covers rural services, gypsy and traveller sites, culture, minerals and environment policies.
4. In preparing the phase two revision, the Assembly has worked closely with regional stakeholders. Strategic planning authorities in the region, including Herefordshire Council, prepared and submitted advice to the Assembly in 2006. Consultation was then undertaken on spatial options. These were considered by Cabinet in February 2007. A preferred option was approved by the Assembly's Regional Planning Partnership in October, and submitted to the Secretary of State in December. It was reported to Planning Committee on 23 May 2008 (minute 10 refers) and considered by Cabinet on 29 May 2008 (minute 5 refers). Cabinet resolved to offer general support to the Revisions subject to:
  1. **The Spatial Strategy should include further recognition of: the infrastructure requirements at Hereford if growth is to be achieved; the peripheral expansion of market towns, and their service centre role for their rural hinterlands; and the need to plan for the renaissance of the region's remoter rural areas in a way which sustains their social, economic and environmental character;**
  2. **Policy CF2 should be amended to recognise that growth may only be capable of being accommodated in some Settlements of Significant Development if infrastructure constraints are removed. The recognition in paragraph 6.21 in respect of meeting housing needs in smaller settlements is welcomed;**

3. In respect of policy CF3:
    - a) the total provision of 16,600 dwellings for Herefordshire be supported;
    - b) the identification of Hereford as a Settlement of Significant Development be supported as reflecting the Council's Growth Point partnership with Government for the delivery of housing growth;
    - c) the provision for Hereford (8,300 dwellings) be expressed as a maxima, recognising that at present the extent to which Hereford can accommodate new development is limited and that the practical achievement of these levels of growth will be dependent on suitable transport and other infrastructure provision, as well as other factors;
    - d) following consideration of the distribution of growth within the County in the Local Development Framework Core Strategy and the Hereford Area Action Plan, dwellings which cannot be accommodated within or adjacent to Hereford be directed to the rest of the County in accordance with the principles in policy CF2;
  4. The affordable housing targets in policy CF7 be re-assessed in the light of the emerging Housing Market Assessment for the West Housing Market Area;
  5. Policy CF10 be supported and further recognise that in rural areas there are also considerations such as the relatively high proportion of small sites in the overall housing supply;
  6. The comparison retail floorspace requirements set out in policy PA12A be supported, with the retail assessment work being undertaken as part of the Local Development Framework offering the opportunity to refine the Phase Two Revision figures at Examination if necessary to ensure suitable provision is made for Hereford City Centre;
  7. The office development requirement for Hereford in policy PA13A be supported;
  8. The revisions to the waste policies be supported, subject to clarification of the implications of the existing joint arrangements for the principle that each waste planning authority should plan to manage an equivalent tonnage of waste arising within their boundary; and
  9. The continuing recognition of the need to implement the package of measures identified in the Hereford Transport Review be supported, so as to allow Hereford to fulfil its role as a Settlement of Significant Development.
5. Throughout the process of drawing up the revision, Government has been concerned that more houses need to be built if problems of affordability are to be addressed. In particular The Government has taken advice from the National Housing and Planning and Advice Unit (NHPAU) , a body set up by the Government in May 2007 in response to the Barker Reviews. The NHPAU has studied population and household formation trends at national and regional levels and come to the firm conclusion that more housing is required. They have suggested new targets to the Government. The Regional Office for the West Midlands responded by commissioning a study to look at options delivering higher housing numbers. The study has been undertaken by

Nathaniel Lichfield Partners (NLP) to assess and identify the potential capacity for additional housing numbers.

**Nathaniel Lichfield Partners Study**

- 6. The NLP study will now be part of the evidence supplied to the Examination in Public process due to take place in Spring 2009. It is a source of evidence about scope, impact and implications of delivering additional housing. The study is not pre-empting either the questions or judgements that are for the Examination in Public.
- 7. The NLP report concludes that it is possible to deliver higher levels of housing without undermining the urban renaissance strategy for the region. In the report NLP have identified three potential spatial scenarios that could deliver additional housing:
  - 1. A focus on growth in the south east of the region
  - 2. Spreading the growth around the region, and,
  - 3. Maximising growth.

These scenarios are not definitive proposals or alternative strategies for the region; merely an independent assessment of where additional housing could be accommodated. Scenarios are not site specific rather they assess the potential for additional growth to be accommodated in Local Authority areas.

- 8. In order to allow adequate time for consultees to respond to the study after it became available in October, the consultation period on the revision has been extended to 8 December. The Examination in Public into the Phase 2 Revision will not now commence until 28 April 2009.
- 9. All three scenarios propose an additional 1,200 dwellings for Herefordshire – to be allocated to the rural areas. The table below illustrates the “Maximising Growth Scenario”.

Location/County	Original RSS Phase 2 Allocation	NLP study proposed additional allocation	New total allocation (Maximising Growth Scenario)
Birmingham	50,600	10,000	60,600
Coventry	33,500	0	33,500
Black Country	61,200	0	61,200
Solihull	7,600	10,000	17,600
Shropshire	25,700	1,900	27,600
Telford and Wrekin	26,500	10,000	36,500
North Staffordshire	17,100	6,000	23,100
Rest of Staffordshire	49,200	8,000	57,200
Warwickshire	41,000	19,500	60,500
Worcestershire	36,600	13,400	50,000
Herefordshire	16,600	*1,200	17,800

\*the figure of 1,200 for Herefordshire is specified as being for the rural areas, not Hereford itself.

10. The study, and the above figures, will not alter the content of the submitted Phase 2 document. It is this which has been published for consultation, and which will be before the Panel at the independent examination. However, now that the above figures have been published, all consultees have been given until 8 December 2008 to finalise their comments on the Phase 2 revisions overall.
11. The Phase 2 revisions, including these new figures, effectively form the starting point for the Council's Local Development Framework, and to establish a basis for the Core Strategy spatial options it is essential to define the Council's position on the RSS document and the NLP study
12. The remainder of this report focuses on the likely impact of the proposed additional allocation of 1,200 new houses in Herefordshire. The various other matters discussed by Cabinet in May (items 4 to 9 in the resolution quoted above) , are not directly affected.
13. The report to Cabinet in May included the following paragraphs:

**Housing (Communities for the Future, chapter 6)**

This chapter sets out the Assembly's response to the Government's goal to increase levels of new housebuilding. The emphasis on urban renaissance – the concentration of housing growth within the conurbation, where much demand arises - remains. At the same time, growth is directed to the settlements of significant development as well as to other settlements, market towns and rural areas. Growth within and adjacent to market towns is again recognised. There is an explicit acceptance that whilst sustainability considerations will lead to growth in the rural areas being focused in the market towns and larger rural settlements where services exist, small scale housing provision may also be considered in smaller settlements where this can be shown to contribute to the regeneration of the rural economy and the sustaining of local communities by meeting proven housing needs (policy CF2).

The level and distribution of housing development, set out in policy CF3, is such that the ratio of development between the metropolitan and other areas is expected to be 1:1.2 – for every ten dwellings built in the conurbation, 12 will be built outside. This compares with the approved strategy which aims to achieve a balance of 1:0.7 – where for every ten dwellings built in the conurbation, only seven are constructed in the rest of the region. This demonstrates the extent to which the overall strategy – based on urban renaissance achieved by enabling the conurbations to meet their own generated needs - has been affected by the pressure to accommodate increased levels of growth and the reaching of capacity limits in the conurbation. Provision overall falls short of that suggested by the 2004 based household projections, with a shortfall of around 16,400 dwellings (365,600 in the phase two revision, compared to 382,000 in the projections).

For Herefordshire, 16,600 dwellings are proposed 2006-2026 (830 per annum), with half of this growth directed to Hereford.

Response

As a starting point, policy CF2 should include explicit reference to the need to improve infrastructure if growth is to be accommodated. The recognition of the role of market towns, larger villages and smaller rural settlements is to be welcomed.



The implications of the levels and distribution of housing development proposed in policy CF3 for Herefordshire can be best illustrated by comparison with historic rates of provision and the equivalent UDP position (see table).

	<b>Average UDP rate (dwellings per annum, gross)</b>	<b>Phase 2 revision (dwellings per annum, net)</b>	<b>UDP/ phase 2 % difference</b>	<b>% phase 2 provision already identified*</b>
<b>Herefordshire</b>	813	830	+2%	30%
<b>Of which Hereford</b>	270	415	+54%	25%
<b>Rest of County</b>	562	415	-26%	35%

\*completions since April 2006, planning permissions and UDP allocated sites

For the County overall, the table shows that proposed rates of development are broadly comparable with both those already being achieved and those postulated in the UDP. These rates are similar to those endorsed by the Council during the earlier spatial options consultation, and are to be supported.

Concerns arise in the proposed distribution of this new development between Hereford and the rest of the County. The phase two revision introduces a new requirement that half of new housing be directed to Hereford. In effect this equates to a significant increase in rates of development at Hereford – up 54% on UDP rates and 50% on what has been achieved in the recent past. This will undoubtedly require both significant greenfield releases and the solution of infrastructure constraints. Limits relating to transport and water provision are presently being investigated as part of the development of the Local Development Framework’s evidence base, and work is also underway to assess the likely availability of housing land. It is too early to say whether these levels of development will in practice be achievable, having regard to infrastructure; levels of market demand; availability of suitable sites; and capacity in the construction industry.

Outside Hereford, the position is reversed. Rates of development are proposed to fall. Past completion levels and UDP rates of development are both significantly higher than those now being mooted. The issue that thus arises is whether sufficient provision is now being made outwith Hereford, bearing in mind the need to provide for the growth of the market towns and in sustainable settlements in the wider rural areas.

In considering these opposing concerns, it is important to remember that the Council has adopted a position of welcoming growth at Hereford in its participation in the New Growth Point programme – and the phase two revision reflects this. However, Growth Point aspirations are subject to testing and confirmation through the RSS process. The Council has also previously confirmed to the Regional Assembly (in its response on the spatial options consultation) that there are infrastructure limits at Hereford. Significant development at Hereford will require these to be resolved, and indeed may help provide the means to do so via the new Community Infrastructure Levy (if confirmed). The Council has also expressed the view that the County’s market towns should also be considered to accommodate increased levels of growth.

A possible approach to resolve these dilemmas would be to introduce an element of flexibility in the distribution within Herefordshire. This would first recognise that as much

---

Further information about this report is available from Peter Yates, Planning Policy Manager on 01432 261952

growth as possible should be sought at Hereford. Necessary infrastructure provision would be made to achieve a maximum of 8,300 dwellings over the period. The balance would then fall to be found outside Hereford. This would be a minima of 8,300 dwellings, plus any residual which could not be located at Hereford. The RSS total for the County would remain unchanged.

This would allow a balanced pattern of development to be determined through the Council's own Local Development Framework, whilst protecting overall provision and the priority given to Hereford as a settlement of significant development. The Council's approach to the preparation of its Local Development Framework – the preparation of the Core Strategy, then the Hereford Area Action Plan, followed by a final Development Plan Document dealing with the market towns and the rural areas – is very much in line with such a step by step process. It would also allow the implications of the forthcoming phase three revision to be addressed at the local level – notably how development might be used to support rural services in the market towns and larger villages. In the interim, pending completion of different elements of the Local Development Framework, UDP policies will provide policy coverage. It is recommended that appropriate representations are made on this basis.

14. In the light of the above comments it can be seen that the proposed NLP addition of 1,200 dwellings over the plan period to 2026 is not, of itself, in conflict with the position already taken by Cabinet, especially as the NLP study specifically proposes that the additional dwellings be allocated to the rural areas and not Hereford City. However, a lack of objection to the additional 1,200 dwellings does not diminish in any way Cabinet's comments of last May on the need for adequate infrastructure if Hereford is to take its original allocation of 8,300 dwellings.
15. At the regional level there is a lot of concern amongst other local authorities that the increased housing numbers suggested by the NLP study are not acceptable on a number of levels. In particular the proposals would change the emphasis on the Major Urban Areas as the focus for growth and, instead, allow significant growth in currently rural areas close to the conurbation such as parts of Warwickshire and Staffordshire. It is anticipated that the West Midlands Regional Assembly will not be able to express support for the outcome of the NLP study, although a formal response was not available at the time of drafting this report A verbal update on the latest position will be given at the meeting.

### **Conclusions**

16. The phase two revision has been developed in a spirit of partnership by the Regional Assembly, working with the local authorities at both officer and member level and with other stakeholders across the region. As a result, it has a wide ownership. The Phase 2 proposals as considered by Cabinet in May stand as a comprehensive and coherent response to the challenges facing the spatial development of the region to 2026. It is appropriate that overall the Council maintains its broad support for the Phase 2 revision as submitted. However, the new NLP proposals threaten the consensus which has been achieved so far and may cause significant problems in parts of the region. In this light the potential additional allocation of 1,200 houses to the rural area in Herefordshire is not, of itself, objected to – the main concern for Herefordshire remains the infrastructure necessary to accommodate the proposed level of housing growth as initially proposed in Hereford. However, elsewhere in the region the proposed increase in housing numbers suggested by NLP remain a matter of concern and it would not be appropriate to express support for these latest proposals as a whole.

**RECOMMENDATION:** That Planning Committee recommends to Cabinet the following representations:

1. to re-affirm previous representations made in May 2008 to confirm general support for the Phase Two Revision with the reservations already set out;
2. not to object to the allocation of 1,200 additional dwellings in the rural areas during the plan period to 2026 as proposed in the Nathaniel Lichfield Study; and,
3. to express concern that the increase in housing allocations suggested in the Nathaniel Lichfield Partnership study for the Region may have adverse consequences for the overall regional strategy.



**ANNUAL MONITORING REPORT 2007-2008****Report By: Forward Planning Manager****Wards**

Countywide

**Purpose**

1. To consider the Annual Monitoring Report 2007-2008.

**Financial Implications**

2. None.

**Introduction**

3. The Planning and Compulsory Purchase Act 2004 introduced provisions and requirements including the regular review and monitoring of development plans through mandatory Annual Monitoring Reports (AMRs).
4. Annual Monitoring Reports are required to assess the implementation of the Local Development Scheme; and the extent to which policies in the Local Development Documents are being achieved. The Council's AMR prepared to meet the requirements of the planning system is attached to this report. The AMR assesses the extent to which the objectives of UDP policies are being achieved and contains a comparator with last years AMR. AMRs are based on a period running from 1 April to 31 March and submitted to the Secretary of State no later than the following 31 December.
5. The AMR covers all annual monitoring study findings and will enable a coherent and consistent approach to be taken in the assessment of the extent to which policies within the UDP and subsequent Local Development Documents are being achieved.

**Structure and Content of the AMR 2006-2007**

6. In establishing the content of this AMR, the aim has been to continue with the structure of previous years to maintain consistency with the guidance provided in the ODPM publication 'Local Development Framework Monitoring: A Good Practice Guide'.
7. The AMR largely follows the thematic division of the chapters in the UDP. It is divided into core subjects such as housing, employment, retail etc, for which there is available monitoring data. Objectives for each topic areas are identified and appropriate policies linked to these are set out. Where the UDP expresses a specific requirement to be met, this is identified as a target against which progress can be measured.

8. There are a number of instances where it is not possible to identify specific targets against which to measure how policies of the UDP are being implemented. This is because certain objectives do not lend themselves to target setting in the context of the UDP alone. In many cases the Plan is one means of helping to achieve wider social or environmental aims and the application of a specific target is neither appropriate nor informative.
9. Indicators are used to measure the performance of policy aims against a target, or where there is no identified target; performance is measured against an objective. Each indicator is cross-referenced with those relevant policies of the UDP that are the key tools used to achieve the objectives and targets.
10. Throughout the report there are sections of analysis that interpret the monitoring results and compares the results of this AMR with those of previous years. It also identifies where data is currently lacking, an update on monitoring achievements to date and identifies where future monitoring could be enhanced to improve measurements of policy implementation.
11. A contextual section providing the background of regional planning guidance (the Regional Spatial Strategy) is contained within Appendix 2 of the document. It also provides statistical information that establishes a profile for Herefordshire.

### **AMR Findings**

12. The overall assessment on whether the UDP objectives are being met in respect of the topic areas are provided in an executive summary. The monitoring results provide useful data for an annual assessment to be made, in many areas monitoring has been undertaken since 2004 been monitored and trends are only now emerging. However, in respect of housing and employment detailed monitoring has been undertaken over many years and clear trends apparent.

### **Key Findings**

13. Housing – between 01-02 and 04-05 completions were below the rate anticipated. Recent releases of UDP sites has resulted in an increase in the rate of housing completions in the County with 829 dwellings being completed in 2007-8 (gross). The levels of housing supply in the County would suggest that the UDP housing target is likely to be achieved by 2011, however, the downturn in the housing market may well impact upon the rates of completions in the next few years. The percentage of housing completions on previously developed or brownfield land at 73% (606) has again exceeded both regional and national targets. In terms of affordable housing, 141 units were completed in 07/08 an increase over the previous year (120 units). Moreover, the number of planning permissions for affordable housing and such housing likely to be delivered on allocated UDP sites suggests that the rate of completions over the remaining UDP period will increase. In addition, the preparation of the Local Development Framework provides an opportunity to review the effectiveness of the UDP affordable housing policies.
14. Employment - The amount of land developed for employment uses over the monitoring period was 8.66ha ha, significantly less than the almost 25ha developed during 2006-7 but still above the average recorded since the 1980's. Around 59% of the completions in the year were located on previously developed (brownfield) land.

15. In the remaining areas of transport, town centres and retail, recreational and leisure, minerals, waste, development requirements, natural historic heritage and renewable energy, findings generally show that targets are being met or there has been progress towards meeting targets or monitoring requirements during the 07-08 monitoring period.

**RECOMMENDATION**

**THAT the Committee endorse the Annual Monitoring Report 2007-8 and recommend its approval to Cabinet by the Cabinet Member (Environment and Strategic Housing).**







Shaping our Place 2026

Local Development Framework

# Annual Monitoring Report 2007 / 2008

December 2008



## CONTENTS

	Page
<b>Executive Summary</b>	
<b>Section 1: Introduction</b>	
Legislative Requirements for Production of Annual Monitoring Reports	
Herefordshire AMR 2008 Content and Format	
Limitations of the Annual Monitoring Report	
<b>Section 2: Local Development Framework Preparation</b>	
Introduction	
Summary of Progress	
<b>Section 3: Housing</b>	
Objective H(1)	
Objective H(2)	
Objective H(3)	
Objective H(4)	
Objective H(5)	
Gypsy and Travellers	
Housing Quality	
<b>Section 4: Employment</b>	
Objective E(1)	
Supply	
Objective E(2)	
Objective E(3)	
<b>Section 5: Transport</b>	
Objective T(1)	
Limitations and shortfalls in Transportation Information	
<b>Section 6: Town Centres &amp; Retail</b>	
Objective TCR(1)	
<b>Section 7: Recreation and Leisure</b>	
Objective RL(1)	
Shortfalls in Hotel and Leisure Information	
Open Spaces	
Future Work	
Shortfalls in Recreation Information	
<b>Section 8: Minerals</b>	
Objective M(1)	
Objective M(2)	
Limitations in Minerals Information	

<b>Section 9: Waste</b>	
Objective W(1)	
Limitations in Waste Information	
Shortfalls in Waste Information	
Future Work	
<b>Section 10: Development Requirements</b>	
Objective DR(1) and DR(2)	
Shortfalls in Development Requirements Information	
<b>Section 11: Natural Heritage</b>	
Objective NHH(1)	
Local Biodiversity Action Plan (LBAP) Update	
National UK Priority Habitats and Species Update	
Limitations in Natural Heritage Information	
Future Work	
<b>Section 12: Renewable Energy</b>	
Objective CFS(1)	
AMR Update	
Limitations and Future Work	
<b>List of Figures</b>	
Fig. 1: Progress Towards Achieving UDP Policy Targets	
Fig. 2: Local Development Scheme 2008 achievements	
Fig. 3: Housing Trajectory 1996-2017	
Fig. 4: Housing Completions	
Fig. 5: Percentage of Completions on Previously Developed Land (1996-2008)	
Fig. 6: Density of Completions	
Fig. 7: Affordable Housing Completions	
Fig. 8: Affordable Homes – Losses and Gains 2002-2008	
Fig. 9: Completions (1996-2008) Based on UDP Settlement Strategy	
Fig.10: Gypsy and Travellers Completions 2008	
Fig.11: Local Authority Sites	
Fig.12: Employment Completions 2007-20078 by Type	
Fig.13: Completions of Employment Land 1986-2008	
Fig.14: Current Supply of Employment Land	
Fig.15: Total Supply of Employment Land by Use Class	
Fig.16: Previous Uses of Employment Land Completions	
Fig.17: The Percentage of Dwelling Completions in Smaller Settlements and Rural Areas	
Fig.18: Dwelling Completions 07-08 Within 30 Minutes Public Transport Time To Hereford and the 5 Market Towns	
Fig.19: Hotel and Leisure Completions 2007/2008	
Fig. 20: New Waste Management Facility Planning Permissions Granted 2007/2008	
Fig.21: Percentage Trends of Municipal Waste by Management Type 2004-2008	
Fig. 22: Additional Monitoring Requirements for Priority Habitats and Species	
Fig. 23: Renewable Energy Applications 2007/2008	
Fig. 24: Outstanding Renewable Energy Permissions from 2006/2007	

Fig. 25: Herefordshire Geographic Context with the West Midlands	
Fig. 26: Herefordshire's Urban Population	
Fig. 27: Population Change (%) by age group in Herefordshire and England & Wales, Mid 2001 – Mid 2007	
Fig. 28: Employment by Sector (excluding self-employed)	
Fig. 29: Housing Tenure	
Fig. 30: Distribution of Council Tax Bands in Herefordshire 2007	
Fig. 31: Estimated Numeracy Levels Locally, Regionally and Nationally	
Fig. 32: Estimated Literacy Levels Locally, Regionally and Nationally	
Fig. 33: Herefordshire's Historic Environment	
Fig. 34: Conservation Designations in Herefordshire	
Fig. 35: Housing Supply as of 1 <sup>st</sup> April 2008	
<b>Appendices</b>	
<b>Appendix 1: Glossary</b>	
<b>Appendix 2: Herefordshire's Profile: Setting the Context for Policies of the UDP : Contextual Indicators</b>	
Regional Context	
Geography	
Population	
Employment	
Housing	
Skills	
Deprivation	
Environment	
<b>Appendix 3: Local Development Framework Preparation Monitoring the Local Development Scheme</b>	
Introduction	
Core Strategy	
Planning Obligations SPD	
Edgar Street Grid SPD	
Hereford Area Action Plan	
Archaeology and Development SPD	
Historic Landscapes SPD	
Model Farm, Ross-on-Wye SPD	
Polytunnels SPD	
<b>Appendix 4: Herefordshire Five Year Housing Supply April 2008</b>	
Introduction	
Calculations	

## EXECUTIVE SUMMARY

This Annual Monitoring Report (AMR) produced for Herefordshire, in accordance with the Planning and Compulsory Purchase Act 2004. The AMR includes:

- contextual information for Herefordshire;
- a progress update on the implementation of the Local Development Scheme;
- an assessment on the extent to which policies in the UDP are being achieved;
- a comparative study from previous AMRs;
- updates on monitoring limitations; and
- new or continuing monitoring limitations and actions required.

The report covers the period 1<sup>st</sup> April 2007 to 31<sup>st</sup> March 2008. Figure 1 below shows the overall progress of UDP policies during the reporting period and includes a comparison with previous years.

**Key:**

☺ = Policy achieving target

☹ = policy making good progress towards achieving target

☹ = policy not achieving the target

**Figure 1: Progress towards achieving UDP policy targets**

UDP Objective	Description	Progress towards the relevant policies			
		07/08	06/07	05/06	04/05
H(1)	To fulfil the requirements for additional dwellings to satisfy local household growth, including those needing affordable housing, as well as migration into Herefordshire, collectively forming the allocation set out in Regional Spatial Strategy (RSS)	☺	☺	☺	☹
H(2)	To provide the re-use of previously developed land and buildings for housing purposes, in preference to the use of Greenfield land	☺	☺	☺	☺
H(3)	To promote the more efficient use of land for residential developments	☹	☹	☹	☹
H(4)	To fulfil the needs for additional affordable dwellings in the county	☹	☹	☹	☹
H(5)	To promote a sustainable pattern of development by ensuring that sufficient new housing is made available in sustainable locations primarily within urban areas and the larger rural settlements	☺	☺	☺	☺
E(1)	To ensure a balance of employment opportunities throughout the county, through the provision of a portfolio of employment sites to reflect the differing development needs of businesses and to	☺	☺	☺	☺

UDP Objective	Description	Progress towards the relevant policies			
		07/08	06/07	05/06	04/05
	give a choice in terms of size, location, quality and use class				
E(2)	To encourage the use of previously developed land for employment purposes in preference to greenfield land	☺	☺	☹	☺
E(3)	To avoid the loss of existing employment land and premises to other uses	☺	☹	☺	☺
T(1)	To promote a sustainable pattern of residential development by ensuring that sufficient new housing is made available in sustainable locations primarily within urban areas and larger rural settlements, taking account of relative accessibility by public transport and the availability of services	☺	☺	☺	New Indicator – no data for 04/05
TCR(1)	To ensure that central shopping and commercial areas continue as the main focus of shopping, employment, services and facilities in Hereford and the market towns, where they are well served by public transport and readily accessible by the community as a whole by means other than the private car. To safeguard and improve local village centres that are readily accessible by walking and cycling	☺	☺	☺	☹
RL(1)	To promote opportunities for new and improved recreation, leisure and sports facilities in sustainable locations	☹	☺	☺	☺
M(1)	To ensure the continued supply of primary extraction aggregates for the local construction industry and to satisfy the wider aggregate needs arising in the region	☺	☺	☺	☺
M(2)	To ensure the use of secondary aggregates and recycling	☺	☺	☺	☺
W(1)	To achieve a more sustainable waste management process by using the BPEO methodology and taking into account the principles of the waste hierarchy, the proximity principle and regional self-sufficiency	☺	☺	☺	☺
NHH(1)	To conserve and enhance the natural heritage of the county and avoid, wherever possible, adverse environmental impacts of development. To minimise any unavoidable adverse environmental impacts by means of measures to mitigate or compensate for any loss or damage, including restoration or enhancement, provision of replacement features and future management	☺	☺	☺	☺

## **Section 1: INTRODUCTION**

### **Legislative Requirement for Production of Annual Monitoring Reports**

- 1.1 The introduction of mandatory Annual Monitoring Reports (AMRs) was brought about through the requirements of the Town and Country Planning Regulations 2004. From 2005 there has been a requirement for local authorities to produce an AMR each year, based on a period running from 1<sup>st</sup> April to 31<sup>st</sup> March. Each AMR must be submitted to the Secretary of State no later than the following 31<sup>st</sup> December.
- 1.2 AMR's are required to assess:
  - (a) the implementation of the Local Development Scheme (LDS); and
  - (b) the extent to which policies in the Local Development Documents are being achieved.

### **Herefordshire AMR 2008 Content and Format**

- 1.3 This AMR is concerned with the assessment of policies contained in the UDP, adopted in March 2007. Reports produced in future years may vary from this format as the LDF monitoring framework is developed and the LDF progresses through the stages of preparation into implementation. A revision to the LDS was completed in January 2008 and a further revision to the LDS, which updates the list of documents to be included in the LDF, will be published early in 2009.
- 1.4 This AMR follows the same format as last years report, incorporating changes in accordance with best practice.

### **Limitations of the Annual Monitoring Report**

- 1.5 As the AMR is monitoring the UDP rather than the LDF it does not have "smart policy objectives or targets". With regards to the LDF process in June 2007 the General Scoping Report for the Sustainability Appraisal (SA) of the LDF was published. This sets out how the environmental, social and economic impacts of Development Plan Documents (DPDs) will be assessed. It includes a framework for assessing the effects of plans (Appendix A3) and it is from these indicators that smart policy objectives and targets will be developed. The first DPD will be the core strategy. Consultation upon a Developing Options Paper was undertaken between June and August 2008.
- 1.6 Throughout this report updates have been given on deficiencies in the monitoring information. Where such gaps in data are identified, the AMR continues to set out steps that could be taken to improve future data collection. However, improvements are currently limited due to the transitional period the plan making process is in. As the LDF takes shape and policies emerge and start to be implemented, the information available will improve and be more relevant in the new planning system. As the evidence base being gathered for the LDF and indicators to support the SA become useful accurate tools to measure policies, deficiencies in information and data are likely to reduce.

## Section 2: LOCAL DEVELOPMENT FRAMEWORK PREPARATION

### Monitoring the Local Development Scheme

#### Introduction

- 2.1 This section reports on progress in achieving the timetable and milestones set out in the Council's Local Development Scheme (LDS) operative from January 2008.
- 2.2 Each proposed Local Development Document identified in the LDS is listed below, with a brief review of progress in meeting the milestones and timetable in the reporting period, 2007/2008. Where slippage in the original timetable is identified, this is explained further in Appendix 3 and includes an indication of the revised programme. Timetable revisions will be incorporated in the annual review of the LDS.

#### Summary of progress

- 2.3 Figure 2 below summarises the achievement of the Local Development Scheme, January 2008. The majority of the documents achieved their milestones.

**Figure 2: Local Development Scheme 2008 Achievements**

<b>Key:</b> ☺ = LDS timetable target achieved ☹ = LDS timetable target missed ☺ = LDS timetable target achievement uncertain	
<b>Document</b>	<b>2007/2008</b>
Core Strategy	☺
Hereford Area Action Plan DPD	☺
Planning obligations SPD	☺
Edgar Street Grid SPD	☺
Archaeology and Development SPD	☺
Historic Landscapes SPD	☺
Model Farm, Ross-on-Wye SPD	☺
Polytunnels SPD	☹



## Section 3: HOUSING

### **Objective H(1)**

To fulfil the requirements for additional dwellings to satisfy local household growth, including those needing affordable housing, as well as migration into Herefordshire, collectively forming the allocation set out in Regional Planning Guidance

#### 3.1 UDP Policies relating to Objective H(1)

- S3 Housing (strategic policy setting out the housing provision figures and general aims and objectives of housing policies)
- H2 Hereford & the market towns: housing land allocations
- H5 Main villages: housing land allocations
- H6 Housing in smaller settlements
- H9 Affordable housing
- H10 Rural exception housing

#### 3.2 Target H(1)

Meet UDP requirement of 12,200 dwellings to be provided within the period 1996-2011.

#### 3.3 Core Indicators H(1)

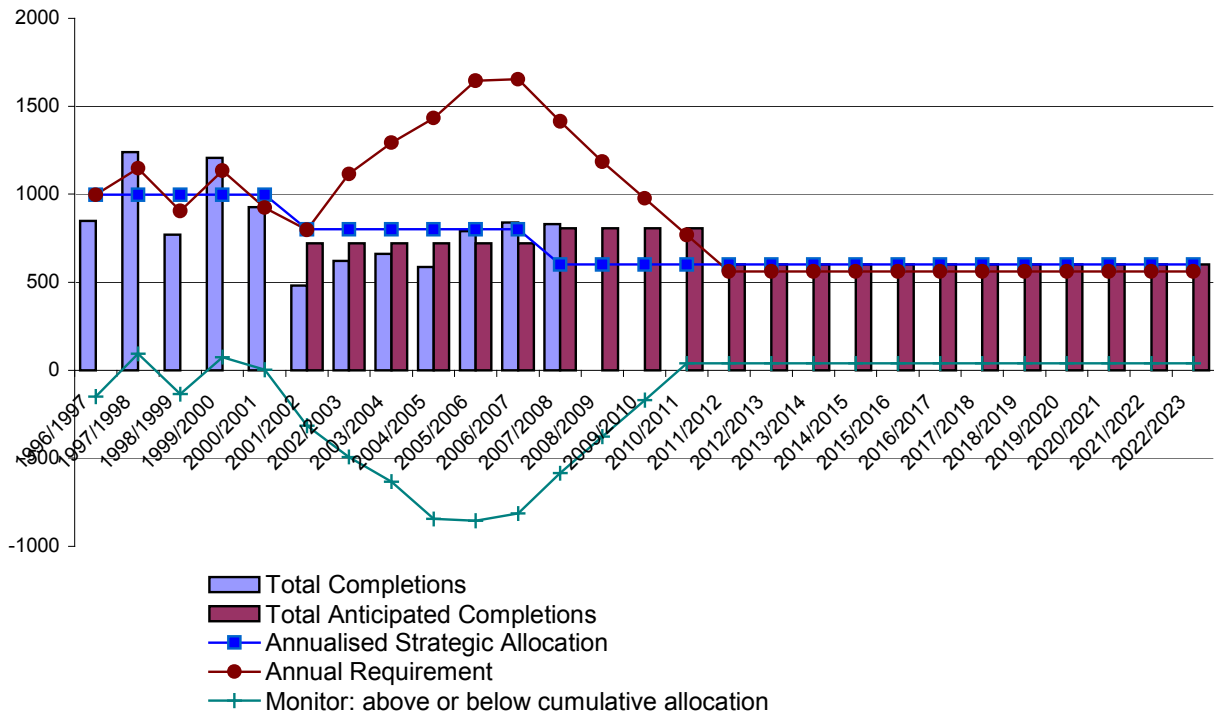
Housing trajectory showing;

- Net additional dwellings since the start of the UDP period (1996)
- net additional dwellings for the current year
- projected net additional dwellings over a 10 year period
- the annual net additional dwelling requirement
- annual average number of net additional dwellings needed to meet overall housing requirements, having regard to performance in previous years.

3.4 Figure 3 shows the housing trajectory as at the beginning of April 2008. It shows the actual housing completions that have taken place during the UDP period between beginning of April 1996 and end of March 2008. The graph also shows the annualised strategic allocation up to 2023. This rate is based upon the annual average rate of housing provision for Herefordshire as set out in Table 1 of the Regional Spatial Strategy (RPG11, June 2004). Appendix 5 sets out the 5-year housing supply situation for Herefordshire in accordance with the requirements of PPS3.

3.5 The graph shows that the rate of housing completions between 2001/2 and 2004/5 was below that required to achieve UDP housing targets. The recent release of a number of UDP sites has resulted in an increase in the rate of housing completions in the County. In 2007-8, 829 dwellings were completed in Herefordshire.

**Figure 3: Housing Trajectory 1996-2023**



(Source: Herefordshire Council 2008)

**Objective H(2)**

To promote the re-use of previously developed land and buildings for housing purposes, in preference to the use of greenfield land.

3.6 UDP Policies relating to Objective H(2)

- S3 Housing
- H2 Hereford & the market towns: housing land allocations
- H5 Main villages: housing land allocations
- H6 Housing in smaller settlements
- H8 Agricultural & forestry dwellings and dwellings associated with rural businesses
- H14 Re-using previously developed land and buildings

3.7 Targets H(2)

There is a UDP target to achieve 68% of new dwellings on previously developed land and buildings over the period 2001-2011 (policy S3). In addition there is a national target to achieve 60% of new housing on previously developed land (PPS3).

3.8 Core Indicator H(2)

The percentage of new and converted dwellings on previously developed (brownfield) land.

3.9 Figure 4 provides a breakdown of this year's housing completions, indicating those on previously developed land. It shows that the proportion of new dwellings built on previously developed land is higher than that required by national targets (60% of new housing on previously developed land).

**Figure 4: Housing Completions**

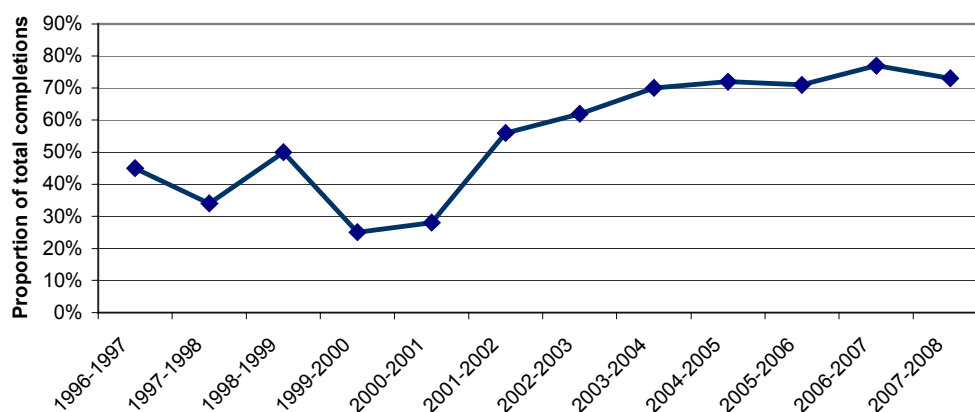
	Actual Completions 06-07	Proportion of Total 06-07	Actual completions 07-08	Proportion of Total 07-08
Former Residential	195	23%	<b>220</b>	<b>27%</b>
Former Employment	107	13%	<b>86</b>	<b>10%</b>
Other Brownfield	342	41%	<b>300</b>	<b>36%</b>
<b>Total Brownfield</b>	<b>644</b>	<b>77%</b>	<b>606</b>	<b>73%</b>
Greenfield	196	23%	<b>223</b>	<b>27%</b>
<b>Total Completions</b>	<b>840</b>	<b>100%</b>	<b>829</b>	<b>100%</b>

(Source: Herefordshire Council Housing Land monitoring 2008)

3.10 Local Indicator H(2)

The annual percentage of total completions occurring on previously developed land since the commencement of the UDP period (1996).

**Figure 5: Percentage of Completions on Previously Developed Land (1996-2008)**



(Source: Housing Land monitoring 2008)

3.11 Figure 5 shows that the growth in the proportion of dwellings completed on previously developed land has increased significantly since 1996, and the Council has exceeded the Government's target since 2002-3 and for the last five years, has achieved the UDP target. In addition to the completions, there were 3989 commitments as at April 2008 – 2227 of which are on previously developed land (56%).

### Objective H(3)

To promote the more efficient use of land for residential developments.

#### 3.12 UDP Policies relating to Objective H(3)

- S3 Housing
- H2 Hereford & the market towns: housing land allocations
- H5 Main villages: housing land allocations
- H6 Housing in smaller settlements
- H13 Sustainable residential design
- H15 Density

#### 3.13 Targets H(3)

The UDP, in policy H15, provides the following guideline for minimum new site densities for sites of 1ha or over in Hereford and the market towns:

- Town centre and adjacent sites, between 30 and 50 dwellings per hectare;
- Other sites, at least 30 dwellings per hectare.

#### 3.14 Core Indicator H(3)

The percentage of new dwellings completed at:

- (i) less than 30 dwellings per hectare;
- (ii) between 30 and 50 dwellings per hectare; and
- (iii) above 50 dwellings per hectare

3.15 Figure 6 sets out the density of completions for development in Herefordshire over last three years. It can be seen that the percentage of dwellings built below 30 dwellings, at 44% is an increase on the previous year (37%). In respect of the target set in policy H15, there were 145 dwellings completed over the reporting period on sites over 1 hectare in the urban areas of Hereford and the market towns. These were built at an average density of 31 per hectare, thus meaning that the UDP target is being achieved. There were no completions on sites of over 1 hectare in size in any of the County's town centres during 2007/8.

**Figure 6: Density of Completions**

	2005-6		2006-7		2007-8	
	Number	Proportion of Total	Number	Proportion of Total	Number	Proportion of Total
Less than 30 dwellings /ha	295	37%	308	37%	<b>312</b>	<b>44%</b>
30-50 dwellings /ha	305	39%	304	36%	<b>200</b>	<b>28%</b>
Over 50 dwellings /ha	191	24%	228	27%	<b>201</b>	<b>28%</b>
<b>Total</b>	<b>791</b>	<b>100%</b>	<b>840</b>	<b>100%</b>	<b>713</b>	<b>100%</b>

(Source: Herefordshire Council Housing Land monitoring 2008)

## Objective H(4)

To fulfil the needs for additional affordable dwellings in the County.

### 3.16 UDP Policies relating to Objective H(4)

- S3 Housing
- H2 Hereford & the market towns: housing land allocations
- H5 Main villages: housing land allocations
- H6 Housing in smaller settlements
- H9 Affordable dwellings
- H10 Rural exception housing

### 3.17 Target H(4)

The UDP, in strategic housing policy S3, sets an approximate figure of 2,300 affordable dwellings to be provided within the County over the Plan period.

### 3.18 Core Indicator H(4)

The number of affordable housing completions during the reporting period.

3.19 Figure 7 sets out the 2007/2008 affordable housing completions broken down into social rented and intermediate housing, the 141 completions for the year represents around a 15% increase over the previous year. Between 1996 and 2007/08, 1222 affordable homes were completed at an average of 102 dwellings per annum. Although this is less than the rate required to meet the UDP target of 2,300 affordable dwellings by 2011, it is anticipated that the number of affordable housing schemes coming forward will increase as UDP allocations are developed. However, the provision of affordable housing in both urban and rural areas of Herefordshire is an issue of concern and will be subject to continued monitoring.

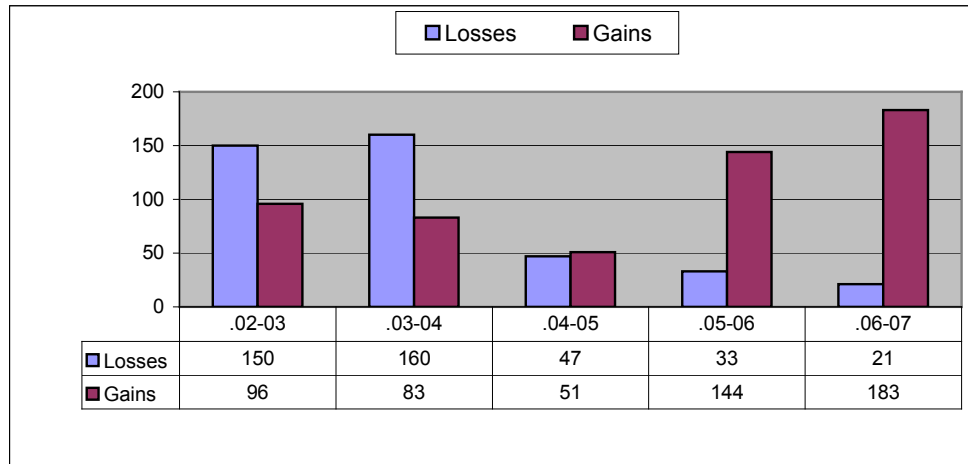
**Figure 7: Affordable Housing Completions 2007/2008**

	<b>Number</b>
Social Rented	58
Intermediate	83
<b>Total</b>	<b>141</b>

*(Source: Herefordshire Council – Strategic Housing Services)*

3.20 The national 'Right to Buy' policy has had an effect on affordable housing numbers in the years since local government reorganisation in 1998. Figure 8 covers available information over the past five year period and shows that the total losses of affordable homes amounts to 565. However, in the last three years the gains have outnumbered the losses. **This will be updated to include 07-08 as soon as the information is available.**

**Figure 8: Affordable Homes – Losses and Gains 2002-2008**



(Source: Housing Strategy Statistical Appendix 2003/04, HFR 2002/03, Strategic Housing Finance Officer and RSL's)

Note: LA/Stock Transfer Company losses in 02/03 include demolition of 15 properties. RSL gains include both rented and shared ownership properties.

### Objective H(5)

To promote a sustainable pattern of development by ensuring that sufficient new housing is made available in sustainable locations primarily within urban areas and the larger rural settlements.

#### 3.21 UDP Policies relating to Objective H(5)

- S3 Housing
- H1 Hereford & the market towns: settlement boundaries & established residential areas
- H2 Hereford & the market towns: housing land allocations
- H4 Main villages: settlement boundaries
- H5 Main villages: housing land allocations
- H6 Housing in smaller settlements
- H7 Housing in the countryside outside settlements

#### 3.22 Target H(5)

Most housing provision (57%) will be concentrated in Hereford and the market towns, then a lesser amount (26%) in the more sustainable main villages, with the third tier of the housing strategy catering for rural housing needs (17%) (policy S3).

#### 3.23 Local Indicator H(5)

The numbers and proportion of housing completions since 1996 in the various locations set out in the UDP settlement strategy.

3.24 The table in Figure 9 shows that over the UDP period, the distribution of housing completions is close to that anticipated in policy S3. Housing completions in Hereford and the market towns are 2% lower than the target, with slightly higher proportions being completed in the rural area. The Plan proposes a target of 12,200 dwellings up to 2011. Figure 9 shows that as at

April 2008, 9706 completions were achieved, equating to 79% of the total requirement.

**Figure 9: Completions (1996-2008) based on the UDP Settlement Strategy**

Location	Actual Completions 1996-2008	Percentage of Total Completions	1996-2011 UDP Target (Policy S3)
<b>Hereford City</b>	<b>2528</b>	<b>26%</b>	----
Leominster	585	6%	----
Ross-on-Wye	617	6%	----
Ledbury	1034	11%	----
Bromyard	408	4.2%	----
Kington	145	1.5%	----
<b>Market Towns Total</b>	<b>2792</b>	<b>29%</b>	----
<b>Combined Hereford City &amp; Market Town</b>	<b>5320</b>	<b>55%</b>	<b>57%</b>
<b>Main Villages Total</b>	<b>2584</b>	<b>27%</b>	<b>26%</b>
Smaller Settlements	637	7%	----
Other Rural Areas	1165	12%	----
<b>Combined Smaller Settlements &amp; Rural Areas</b>	<b>1802</b>	<b>19%</b>	<b>17%</b>
<b>County Total</b>	<b>9706</b>	<b>100%</b>	<b>100%</b>

(Source: Herefordshire Council Housing Land monitoring)

### 3.25 Gypsy and traveller sites

The Provision of new Gypsy and Traveller sites is recognised in policy H7, of the Unitary Development Plan (UDP) (March 2007), as one of the exceptional circumstances where development may be permitted outside of a defined settlement if in accordance with policy H12. Historically, this authority has not monitored Gypsy and Traveller site completions and the UDP does not set any targets for the provision of Gypsy and Traveller sites. However, due to the requirement by Central Government to produce a Gypsy and Traveller Accommodation Assessment (GTAA) and the need for the Local Development Framework to set targets for site provision AMR's will now need to monitor site provision. A GTAA has been completed for the County as part of a wider study (including Shropshire, Telford and Wrekin and Powys). The findings of the GTAA will now be taken forward in setting targets for the LDF.

3.26 For this reporting year, April 2007 – March 2008, there was one Gypsy and Traveller Permission completed:

**Figure 10 : Gypsy and Travellers Completions 2008**

Application Number	Application Details	Address
DCCW2006/3153/F	Change of use from agriculture to a two family Gypsy site	The Birches Stables, Burghill, Hereford

(Source – Housing Land Availability 2008)

**Figure 11: Current Local Authority Sites**

Site	Pitches (occupied)		Comments
	Res	Transit	
Romany Close, Grafton	9	0	Newly refurbished
Watery Lane	11	0	Stable site, few pitches ever available
Madley	0	17	Disused transit site.
Tinkers Corner, Bosbury	7	0	
Openfield, Bromyard	2(10)	0	2 tenants remaining following vandalism. Possibility of refurbishment with fewer pitches
Croft Lane, Luston	10	0	Site was occupied by New Travellers, now mixed
Pembridge, Turnpike	6	0	Refurbished following vandalism. 3 of 6 pitches let.

(Source: Gypsy and Traveller Accommodation Assessment – revised final report July 2008)

**3.27 Housing Quality**

The monitoring for housing quality building for life assessment indicator will be developed through the Local Development Framework. In the meantime this Authority will investigate ways of monitoring Housing Quality for subsequent AMRs depending to some extent upon the availability of resources.

**3.28 Shortfalls in Housing Information**

There are various improvements that have been made to develop the efficiency of data collection, thereby progress the assessment of development plan policies. Systems to provide more timely information upon housing supply to enable more comprehensive monitoring are currently being devised. An update on this matter will be provided in subsequent AMRs.

**3.29 Conclusion**

Housing completions and the level of housing available in the County in April 2008 were sufficient to suggest that the housing trajectory is such that the UDP housing target will be achieved by 2011. However, the current downturn in the housing market may well have an impact on the housing trajectory in future years. Levels of housing completions on PDL continue to exceed regional and national targets. In respect of affordable housing in the County the number of completions has increased over previous years but remains below the rate necessary to achieve the UDP target.



## Section 4: EMPLOYMENT

### Objective E(1)

To ensure a balance of employment opportunities throughout the County, through the provision of a portfolio of employment sites to reflect the differing development needs of businesses and to give a choice in terms of size, location, quality and Use Class.

#### 4.1 UDP Policies relating to Objective E(1)

Although most policies in the employment chapter of the UDP could be said to contribute to the achievement of this overarching objective, the following policies are considered to be those most relevant:

- S4 Employment
- E1 Rotherwas Industrial Estate
- E2 Moreton-on-Lugg Depot
- E3 Other employment land allocations
- E7 Other employment proposals within and around Hereford & the Market Towns
- E10 Employment proposals within or adjacent to main villages
- E11 Employment proposals in the smaller settlements & open countryside

#### 4.2 Target E(1)

Provide 100ha of land for Part B employment development in a range of locations throughout the County.

#### 4.3 Core Indicators E(1)

- (i) the amount of land developed for employment by type;
- (ii) the amount of land developed for employment, by type, which is in development and/or regeneration areas defined in the development plan; and
- (iii) employment land supply by type.

4.4 Figure 10 shows the amount of land developed for employment use in the monitoring period 2007-2008, and also provides a breakdown by use class type. The total area of employment land completions in Herefordshire in this reporting period is 8.66ha and of this the total floorspace is 21,100m<sup>2</sup> and includes small sites below 0.4 ha. Figure 10 below is consistent with the way that the UDP has been monitored in previous AMRs, however it should be noted that the breakdown of the use class categories mentioned here, differ from that of the regional return.

**Figure 12: Employment Completions 2007-2008 by Type**

	B1a	B1c	B2	B8	Other employment uses	TOTAL
<b>Floorspace (m<sup>2</sup>) of Completions 2007-2008</b>	4,110	6,417	6429	3,644	500	21,100m <sup>2</sup> (8.66ha total area)

(Source: Herefordshire Employment Land monitoring 2008)

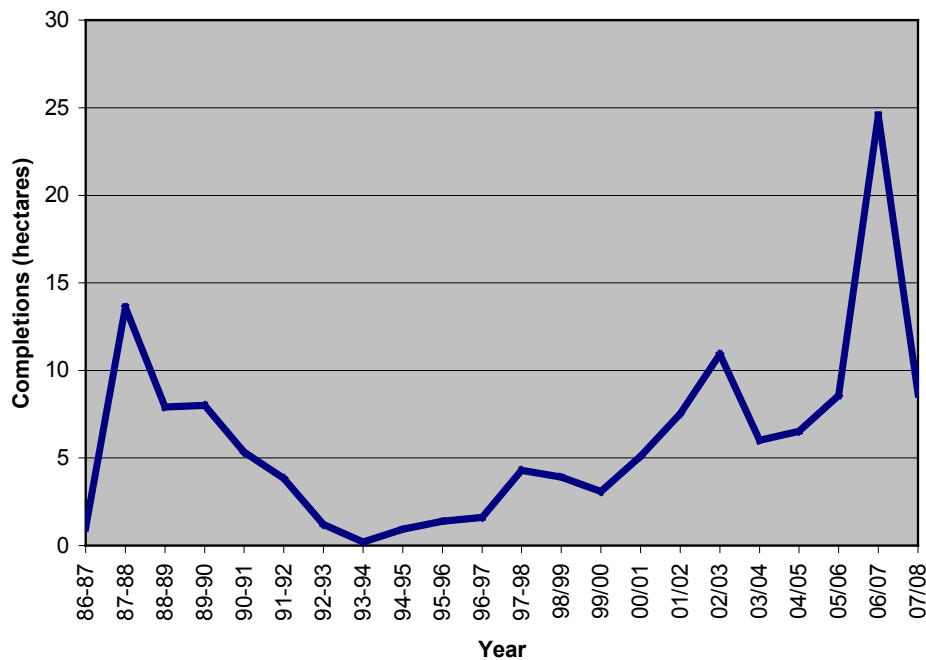
#### 4.5 Local Indicators E(1)

The following local indicators can provide some additional background data that is useful when assessing the way that employment developments have taken place across the County historically and can also be used in the future to compare trends and changes over the later phases of the UDP period.

- (i) Employment completions 1986-2008;
- (ii) Geographical distribution of employment land completions.
- (iii) Current supply of employment land.

4.6 Figure 11 traces the rate of employment completions since the mid-1980's when monitoring commenced. Although it is difficult to explain the fluctuations in the overall rate, it appears that the nature of employment development in Herefordshire is cyclical.

**Figure 13: Completions of Employment Land 1986-2008**



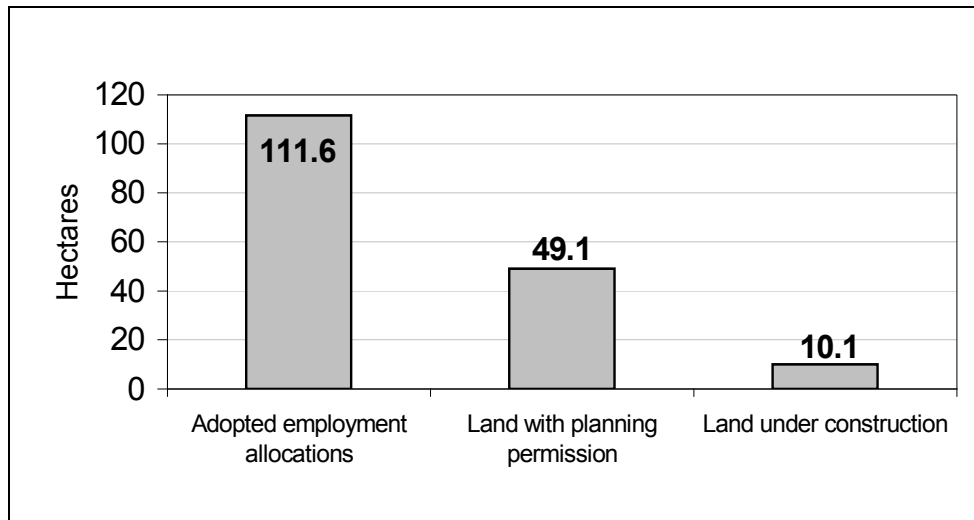
(Source: Herefordshire Employment Land Study 2008)

4.7 The Plan's overall development strategy was developed alongside the strategic approaches being undertaken through Objective 2 and the Rural Regeneration Zone. Through these programmes, regeneration activity will be concentrated in key locations with the greatest potential to create sustainable employment growth and maximise employment opportunities, to the benefit of the wider rural areas. There have been a total of 8.66ha (93.9%) of completions in the Rural Regeneration Zone (RRZ) as identified in RPG11 (the RRZ covers most of the County, apart from the urban area of Hereford). During the UDP period (1996-2008) just over 90 ha of employment land have been completed.

## Supply

4.8 Herefordshire currently has some 170.8 ha of land available for employment use on 113 sites. This land is either allocated for employment uses within the UDP (111.6 ha), benefits from unimplemented planning permissions (49.1 ha) or is currently under construction (10.1 ha). Figure 12 illustrates these findings.

**Figure 14: Current Supply of Employment Land**



(Source: Herefordshire Employment Land monitoring 2008)

4.9 Figure 13 represents a breakdown by use class type, however as many planning permissions are for mixed use developments these are also shown.

**Figure 15: Total Supply of Employment Land by Use Class**

B1/B2	38.38 ha
B1/B2/B8	69.74ha
B1/B8	22.14 ha
B1a	8.45 ha
B1a/c	3.42 ha
B1c	4.81 ha
B2	8.44 ha
B2/B8	4.24 ha
B8	11.2 ha
<b>Total</b>	<b>170.8 ha</b>

(Source: Herefordshire Employment Land monitoring 2008)

## Objective E(2)

To encourage the use of previously developed land for employment purposes in preference to greenfield land.

### 4.10 UDP Policies relating to Objective E(2)

- S4 Employment
- E1 Rotherwas Industrial Estate
- E2 Moreton-on-Lugg Depot
- E3 Other employment land allocations
- E7 Other employment proposals within and around Hereford & the Market Towns
- E10 Employment proposals within or adjacent to main villages
- E11 Employment proposals in the smaller settlements & open countryside
- E15 Protection of greenfield land

### 4.11 Targets E(2)

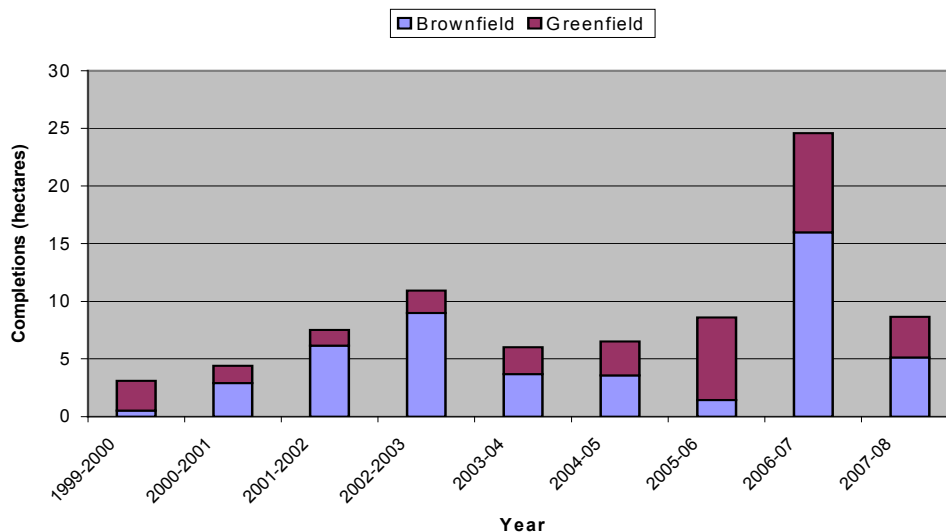
There are no specific targets set out in the UDP for the amount of employment land to be developed on previously developed sites, however re-using previously developed land before greenfield land is central to the aims of sustainable development.

### 4.12 Core Indicator E(2)

The percentage of land developed for employment use by type, which is on previously developed land.

4.13 There is no data on the amount of employment *by type* on previously developed land for this monitoring period, however information on overall completions is available. 59% of all completed employment development over the past year was on previously developed land as shown in Figure 14.

**Figure 16: Previous Uses of Employment Land Completions**



(Source: Herefordshire Employment Land monitoring 2008)

### **Objective E(3)**

To avoid the loss of existing employment land and premises to other uses.

#### 4.14 UDP Policies relating to Objective E(3)

S4 Employment

E5 Safeguarding employment land and buildings

#### 4.15 Targets E(3)

There are no specific targets set out in the UDP for acceptable amounts of employment land that can or cannot be lost to other uses. However, it is recognised that it is important that both the existing and proposed supply of land and buildings for employment uses is protected for such purposes if the UDP is to successfully maintain and enhance employment opportunities throughout the County.

#### 4.16 Core Indicators E(3)

(i) The losses of employment land in development/regeneration areas and local authority areas.

(ii) The amount of employment land lost to residential development.

4.17 0.14ha of employment land was granted planning permission for other uses during the monitoring period - all being from Hereford City (outside the Rural Regeneration Zone area). Of the total 0.14 ha loss, all was reallocated to residential use.

#### 4.18 Conclusion

Completions on employment land are lower than the previous year but remain on track, given the amount of available employment land to achieve the UDP target. The loss of 0.14ha of employment land to residential use over the year is not considered significant.

## Section 5: TRANSPORT

### Objective T(1)

To promote a sustainable pattern of residential development by ensuring that sufficient new housing is made available in sustainable locations primarily within urban areas and larger rural settlements, taking account of relative accessibility by public transport and the availability of services.

#### 5.1 UDP Policies relating to Objective T(1)

- S3 Housing
- H1 Hereford & the market towns: settlement boundaries & established residential areas
- H2 Hereford & the market towns: housing land allocations
- H4 Main villages: settlement boundaries
- H5 Main villages: housing land allocations

#### 5.2 Targets T(1)

As set out in the UDP, the anticipated proportions of total dwellings anticipated in the various areas of the County between 1996 and 2011 are:

Hereford City:	29%
Market Towns:	28%
Main Villages:	26%
Rural Areas:	17%

#### 5.3 Core Indicators T(1)

The percentage of new residential development within 30 minutes public transport time of a GP, hospital, primary and secondary school, employment and a major health centre.

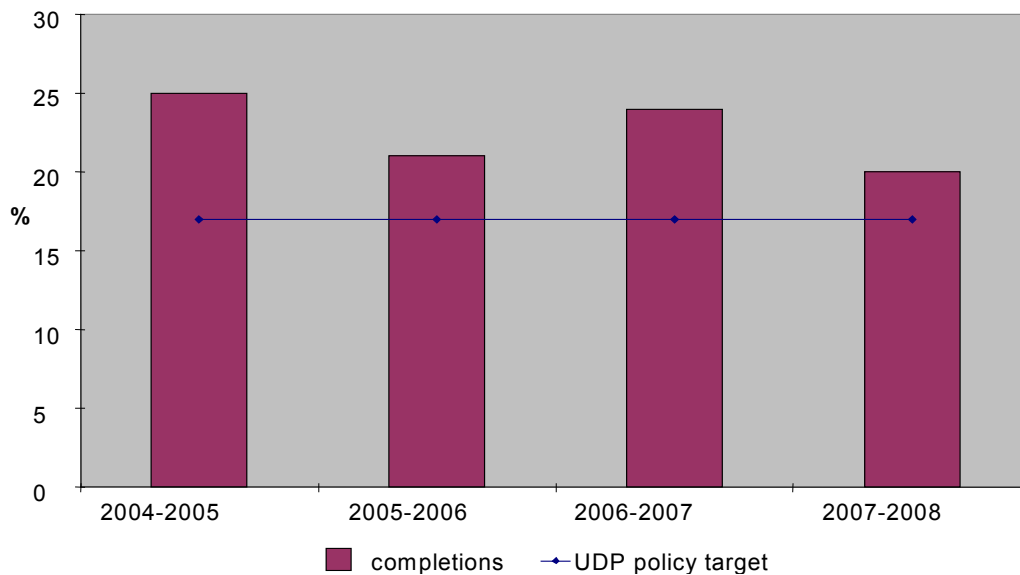
5.4 The UDP housing strategy is centred on the desire to provide new housing in the most sustainable areas of the County. The Plan's general housing policy S3 defines the strategic distribution of the additional housing in the County within the Plan period. A key feature is the determination of a hierarchy of settlements in accordance with the overall development strategy of the Plan. Hereford is the central hub of the County and provides a good range of facilities, followed by the market towns and then the main villages. This latter group was identified according to their size, the availability of public transport links to nearby towns and the number of facilities within these larger villages.

5.5 Whilst information on the precise criteria as set out in the core indicator T(1) may not be gathered, in terms of 30 minutes from a GP etc, it is accepted that the major centres of Herefordshire (Hereford, Leominster, Ledbury, Kington, Ross-on-Wye and Bromyard) provide essential services and new development within the 30 minute rule of these locations and will therefore satisfy the indicator. However, it is also recognised that due to the rural nature of Herefordshire that many primary schools, GPs and other essential services are situated in very rural locations outside of the 30 minute public

transport rule of the main centres and therefore do provide some of the essential services that these more isolated communities require.

- 5.6 Data has been collected in relation to the hierarchical settlement housing strategy as set out in the Plan and is considered to be similar in its aims of considering how well the UDP policies are achieving sustainable development patterns. Figure 18 provides a mapped representation of completions during the reporting period over a GIS layer of public bus and rail services within 30 minutes (shaded areas) of one or more of the main centres of Herefordshire.
- 5.7 Figure 9 in the Housing chapter reveals that the wider rural areas have accommodated 2% more new housing developments than anticipated in the UDP between 1996-2011. The UDP generally restricts housing in the wider rural areas, however when considered on balance with other material considerations planning permission is sometimes granted.
- 5.8 Maps for comparison between years has previously been used in the AMR, however for clarity this year a bar chart (Figure 17 below) has been used to show the percentage of dwelling completions in rural areas year on year. This method will be reviewed in subsequent reports.

**Figure 17: The percentage of dwelling completions in smaller settlements and rural areas**

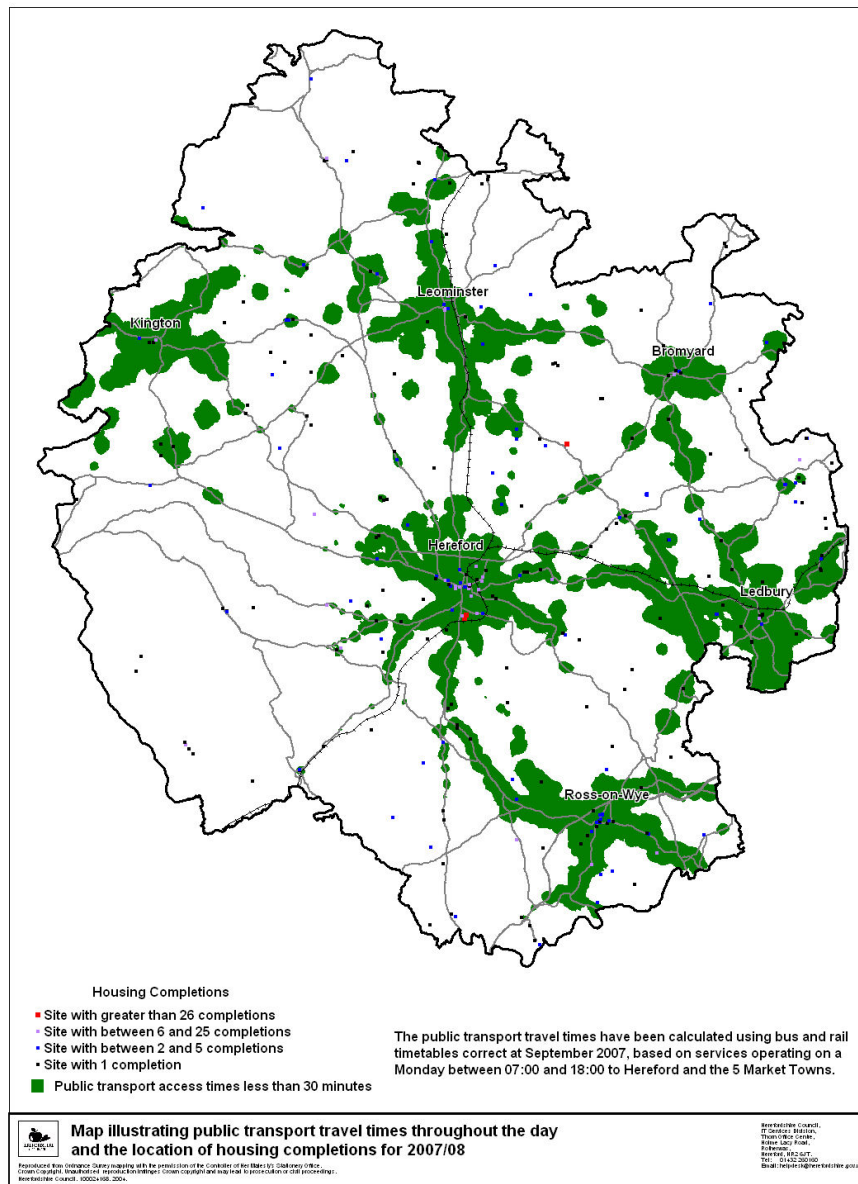


### Limitations and shortfalls in Transportation Information

- 5.9 Last year it was reported that the public transport routes may vary year on year. This year the routes have changed and Figure 18 below reflects these changes. The main change is that more services have been provided in the rural areas to assist in providing a sustainable mode of travel to the residents in these areas. Nevertheless policies contained within the UDP regarding location of development do not solely rely on the proximity of public transport routes as the reason for locating development in a particular area.

- 5.10 The evidence gathering process currently underway for the LDF will provide more up-to-date information to help with the preparation of the development of new place shaping policies for the County.
- 5.11 Car parking standards continue to be an unresolved issue because of restricted data availability. The general issue of transportation is being addressed through the LDF, as mentioned above, and as the new planning system will introduce “smart” targets and indicators to develop the existing shortfalls in information and evidence, gaps in data are likely to be narrowed in the future.

**Figure 18: Dwelling completions 07/08 within 30 minute travel time by public transport to Hereford and the Market Towns**





## Section 6: TOWN CENTRES AND RETAIL

### Objectives TCR(1)

To ensure that central shopping and commercial areas continue as the main focus of shopping, employment, services and facilities in Hereford and the market towns, where they are well served by public transport and readily accessible by the community as a whole by means other than the private car.

To safeguard and improve local village centres that are readily accessible by walking and cycling.

#### 6.1 UDP Policies relating to Objective TCR(1)

S5	Town centres and retail
TCR1	Central shopping and commercial areas
TCR2	Vitality and viability
TCR3	Primary shopping frontages
TCR4	Secondary shopping frontages
TCR5	Uses outside Class A of the Use Classes Order
TCR6	Non-retail uses
TCR8	Small scale retail development
TCR9	Large scale retail & leisure development outside shopping & commercial areas
TCR10	Office development
TCR11	Loss of existing offices
TCR13	Local and neighbourhood shopping centres
TCR14	Village commercial facilities

#### 6.2 Targets TCR(1)

Although no specific targets are set out in the UDP, its policies are in line with National Policy guidance, the Regional Spatial Strategy and they support the Herefordshire Partnership's Economic Development Strategy. The Plan adopts a strategy to protect and enhance the vitality and viability and maintain the retail and general facilities hierarchy within the County: Hereford, the market towns and local, neighbourhood and village centres. The Plan's guiding principles look to enhance the role of settlements as service centres, improve opportunities for access to services and guide new developments to locations that offer a choice of transport modes.

#### 6.3 Core Indicators TCR(1)

- (i) The amount of completed retail and office development completed within the monitoring period.
- (ii) The percentage of completed retail and office development in town centres.

6.4 For the reporting year of 2007/2008 there were no retail completions over the regional threshold of 1,000 m<sup>2</sup>. Within last years AMR it was stated that there were to be a number of schemes over the 1,000 m<sup>2</sup> threshold completed

within this monitoring year, however after reassessing these schemes it was found that the actual floorspace of the schemes were all below the 1000m<sup>2</sup> threshold and have not therefore been included in this years AMR.

6.5 Due to a more comprehensive approach for regional monitoring additional requirements were needed for retail floorspace figures that were below the 1,000m<sup>2</sup> threshold, back dated for the monitoring year 2006/2007 and this years 2007/2008. Within 2006/2007 there were 1,337m<sup>2</sup> of completions for Herefordshire, of these 514m<sup>2</sup> were within Hereford. In the 2007/2008 monitoring period there was a total of 1,448m<sup>2</sup> of completions for Herefordshire, with 1311m<sup>2</sup> of this within Hereford.

6.6 Conclusion

The vast majority of retail floorspace completed during the year 2007-8 has taken place within Hereford which is consistent with the aims of UDP policies.

## Section 7: Recreation and Leisure

### Objective RL(1)

To promote opportunities for new and improved recreation, leisure and sports facilities in sustainable locations.

#### 7.1 UDP Policies relating to Objective RL(1)

S8	Recreation, sport and tourism
RST1	Criteria for recreation, sport and tourism development
RST5	New open space in/adjacent to settlements
RST6	Countryside access
RST10	Major sports facilities

#### 7.2 Targets RL(1)

There are no specific UDP targets for this type of development, however the Plan acknowledges that recreation, leisure and sports opportunities can contribute to the quality of life of residents and visitors; support local economies and community regeneration, and help the diversification of work opportunities in both urban and rural areas. In providing such facilities the Plan states the importance of balancing the benefits with any adverse effects on local communities, amenity and the environment.

#### 7.3 Core Indicators RL(1)

- (i) Amount of completed hotel and leisure development.
- (ii) Percentage of completed hotel and leisure development in town centres.
- (iii) Percentage of eligible open spaces managed to Green Flag award status.

7.4 The annual hotel and leisure regional monitoring study sets a threshold on leisure permissions on or over 1,000m<sup>2</sup> gross built development, therefore only the larger developments of this kind are monitored, omitting smaller scale developments. Any amendment made by the West Midlands Regional Assembly will be updated in subsequent AMR's as appropriate.

#### 7.5 Core Indicators RL(1)

- (i) Amount of completed hotel and leisure development.  
While there were five hotel completions in Herefordshire, these are alternative forms of accommodation. There were four leisure completions (within the aforementioned threshold); details are given in figure 16 below:

**Figure 16: Hotel and Leisure completions 2007/2008**

Use Class	Description	Gross Floorspace (m <sup>2</sup> )/Bedrooms	Planning Application Number	Address
C1	Eight letting bedrooms	8	DCCW2006/0914/F	The Bay Horse, 236

				Kings Acre Road, Hereford
C1	Caravan camping site	12	DCSW2006/3069/F	Burhope Farm, Orcop, Herefordshire
C1	Sleeping accommodation for students and teachers	100	DCSW2007/3773/RM	Dhamma Dipa, Harewood End, Herefordshire
C1/D2	Caravan park, plant hire, caravan and farming businesses	4220 / 43	DCNW2006/0583/F	Home Farm, Bircher, Leominster
D2	New sports hall, cafeteria and library	2022	DCNW2005/0890/F	Weobley High School, Weobley, Herefordshire
D2	Mediation hall and cell complex (pagoda)	1272	DCSW2007/3686/F	Dhamma Dipa, Harewood End, Herefordshire

#### 7.6 Core Indicators RL(1)

(ii) Percentage of completed hotel and leisure development in town centres.

None of the leisure completions shown in Figure 16 above were in town centre locations. None of hotel completions shown in Figure 16 was in a city centre location.

#### **Shortfalls in Hotel and Leisure Information**

7.7 In the past the local authority has not collected information for hotels below 5 bedrooms or leisure development below 1000m<sup>2</sup> thresholds, which is required for the regional monitoring. However, it is recognised that in order to set targets and monitor the implication of policies in the emerging LDF a more comprehensive approach will be necessary. Therefore, all hotel and leisure development, irrespective of bedroom capacity or floorspace is anticipated to be monitored in future years.

#### **Open Spaces**

7.8 Herefordshire Council has completed its initial Open Spaces Audit, in line with PPG17 and is now considering the findings. A working group has been set up to take forward these findings into improving the quality and accessibility of open space, sports and recreation facilities across the county.

7.9 Herefordshire was split into 9 geographical areas for the audit. Within each of these areas, open space, sports and recreation provision has been assessed in terms of quantity and quality, focusing on the settlements as defined in the hierarchical approach set out in the UDP, along with strategic facilities, such as Queenswood Country Park.

7.10 The main findings of the audit concern quality and accessibility of the existing provision. Deficiencies in the different types of provision vary across the 9

areas. These findings are anticipated to be taken forward with 'action plans' and 'strategic priorities' identified both on a countywide level, and also in regards to the 9 geographical areas used in the audit, although specific details are yet to be confirmed.

7.11 Core Indicators RL(1)

(iii) Percentage of eligible open spaces managed to Green Flag award status.

Herefordshire Council uses the Green Flag standards as a method of rating its sites. In the audit, Green Flag standards were incorporated into the methodology used by the auditors. The data is currently being scrutinised, although of the site appraisals analysed, 13 of the 66 (20%) of facilities classified as 'Natural or semi natural greenspaces' in the PPG17 methodology, met or exceeded the Green Flag standard, 24 of the 37 (65%) facilities classed as 'Parks' in the PPG17 methodology inspected for quality, met or were above the Green Flag standard.

**Future work**

7.12 The audit of open space, sport and recreation has allowed for better and more appropriate use of resources, and informed issues such as planning obligations and section 106 agreements. Development briefs, where appropriate can also take into account these findings and incorporate appropriate open space and facilities. The information will also form the basis for the monitoring and review of open space and facility provision in terms of quality and quantity, in addition to informing existing and future planning policies.

**Shortfalls in Recreation Information**

7.13 It has not been possible to do a comparative study on the available data for open spaces between last years AMR and this as the data sets were not complete and as such likely to be inaccurate. This is due to slow progress in formulating the "Action Plans". Due to unforeseen problems with the original data produced by the consultants, additional work has had to be undertaken to ensure the data is correct, which has meant revising the entries on the Geographical Information System before work could proceed. This is currently being undertaken and nearing completion. It is anticipated that the development of a Public Open Space Strategy and associated Action Plans for Playgrounds, Outdoor Sports Facilities and Amenity Space can be started in Spring 2009. An update on this will be provided in next year's AMR for 2008/2009.

## Section 8: MINERALS

### Objective M(1)

To ensure the continued supply of primary extraction aggregates for the local construction industry and to satisfy the wider aggregate needs arising in the region.

#### 8.1 UDP Policies relating to Objective M(1)

S9 Minerals

M3 Criteria for new aggregate mineral workings

M5 Safeguarding mineral reserves

#### 8.2 Targets M(1)

Government policy for aggregates provision is essentially that an adequate and regular supply of minerals must be provided, subject to environmental and sustainability considerations. A landbank of permitted reserves of sand and gravel sufficient to meet 7 years production should be maintained; more may be needed for crushed rock.

8.3 Provision should be made in the West Midlands for the production of 162 million tonnes (mt) of sand and gravel and 93mt of crushed rock over the period 2001 to 2016. West Midlands Regional Aggregates Working Party (WMRAWP) policies require that appropriate provision should be made in the region for the supply of nationally and regionally significant minerals.

8.4 The WMRAWP recommends the following sub-regional apportionment for Herefordshire:

Sand & Gravel: 2.8% of regional production (0.283mt pa for 2001-2016)

Crushed Rock: 7.3% of regional production (0.424mt pa for 2001-2016)

8.5 The UDP figures for production are based on reserves of sand and gravel through until 2025 and crushed rock to 2044. Information on primary aggregate production for Mineral Planning Authorities (MPAs) is collected annually by each MPA from operating companies on behalf of the WMRAWP. This information is:

(a) requested annually (by calendar year)

(b) in arrears (the most recent figures available are for production in 2006 and reported in this AMR)

(c) provided on a confidential and voluntary basis. All returns are collected by MPAs and forwarded to the RAWP Secretary for agglomeration, in a way that protects commercial sensitivity, for subsequent publication in the RAWP annual reports (most recent report, 2006).

#### 8.6 Core Indicators M(1)

(i) Production of primary land won aggregates.

The West Midlands Regional Aggregates Working Party (WMRAWP) draft annual report 2006 reports that the latest sale figures for Herefordshire, combined with Worcestershire for confidentiality, are as follows:

- Sand and gravel sales of 194,500 tonnes per annum (down by approximately half on the annual apportionment)
- Crushed rock sales of 300,000 tonnes per annum (down on the annual apportionment).

The 2007 WMRAWP survey has yet to be received and results of that report will hopefully be ready for next years AMR.

8.7 Local Indicator UDP policy M3

(i) criteria for new aggregate mineral workings

This section has been added since the previous AMR to highlight new permissions received during the reporting period. Within this reporting period of 2007/2008 there was a new permission for a significant extension to Wellington Quarry granted permission in February 2008.

8.8 Local Indicator UDP policy M5

(i) safeguarding mineral reserves

The WMRAWP annual report states the reserves of minerals in the region and the latest available report for 2006 states that Herefordshire's primary aggregates reserves are as follows:

- Sand & Gravel 9.6 million tonnes
- Crushed Rock 10 million tonnes (estimated)
- Total 19.6 million tonnes (estimated)

*(Source: WMRAWP Annual Report 2006)*

**Objective M(2)**

To encourage the use of secondary aggregates and recycling.

8.9 UDP Policies relating to Objective M(2)

S9 Minerals

M6 Secondary aggregates and recycling

8.10 Targets M(2)

There are no specific targets and therefore no apportionment set out in the UDP for the use of alternatives to naturally occurring minerals. However, policy M6 states that proposals for the production, processing, treatment and storage of such alternatives should be encouraged.

8.11 Core Indicators M(2)

(i) Production of secondary/recycled aggregates.

Two applications were received in this AMR period in relation to secondary/recycled aggregates, one for soil importation and another for a sewage kiosk.

**Limitations in Minerals Information**

8.12 Data gathering and its reliability has improved this year when compared with previous years. A local system of monitoring has started to develop a method to assess general production levels. This will provide evidence to aid policy development in future development plan documents. The assessment of the effectiveness of policies using this new information will be more relevant in monitoring the LDF monitoring rather than the UDP.

## Section 9: WASTE

### Objective W(1)

To achieve a more sustainable waste management process by using the BPEO methodology and taking into account the principles of the waste hierarchy, the proximity principle and regional self-sufficiency.

9.1 This objective is broad and overarching, relating to all policies within the waste chapter of the UDP. The UDP sets out a number of additional more specific objectives in paragraph 12.2.2 that are available at the following link:  
[http://www.herefordshire.gov.uk/docs/Forwardplanning/12\\_WASTE\\_.pdf](http://www.herefordshire.gov.uk/docs/Forwardplanning/12_WASTE_.pdf)

#### 9.2 UDP Policies relating to Objective W(1)

- S10 Waste
- W1 New waste management facilities
- W2 Landfilling or landraising
- W3 Waste transportation and handling
- W7 Landfill gas utilisation
- W8 Waste disposal for land improvement
- W11 Development – waste implications

#### 9.3 Targets W(1)

No specific targets are set in the UDP for the production, treatment or disposal of waste. However, objectives outlined in paragraph 12.2.2 of the UDP provide an overview of how it is intended for waste management to be carried out over the Plan period.

#### 9.4 Core Indicators W(1)

- (i) Capacity of new waste management facilities by type; and
- (ii) Amount of municipal waste arising by management type, and the percentage each management type represents of the waste managed.

#### 9.5 Core Indicators W(1)

- (i) Capacity of new waste management facilities by type:

**Figure 20: New waste management facility planning permissions granted 2007-2008**

Address	Description	Wastes to be managed	Annual throughput capacity, (tonnes to nearest 1,000, unless states otherwise)
Cricket Club, Bosbury	Cesspool	Sewage	<1,000
Lower Woodside, Knill	Biomass Power Plant	Chicken litter, forestry waste	Up to 170,000
Lyde, Arundel farm, Canon Pyon Rd, Hereford	Landraising	Inert C&D waste, soil	N/A
Unit 16 Thorn Business Park,	Waste transfer station	Road planings, highway waste	Quantities not known



Rotherwas, Hereford			
Stretton Sugwas old tip	Methane gas flare		400m <sup>3</sup> per hour and up to 3,504,000m <sup>3</sup> per year
The leen, Pembridge	Slurry Lagoon	Cattle slurry	Approx. 5,250m <sup>3</sup> storage capacity over 120 days inc rainwater
Old mushroom farm, Haywood, Callow	Landraising	Inert C&D waste, soil	<1,000
UBL, Little Marcle Rd, Ledbury	STW	Liquid trade waste (cider works)	<1,000
Little Pengethley, St. Owen Cross	Waste transfer station	Plastic and card farm waste	<1,000
<b>Total</b>			<b>174,000</b> (excludes the methane and cattle slurry applications)

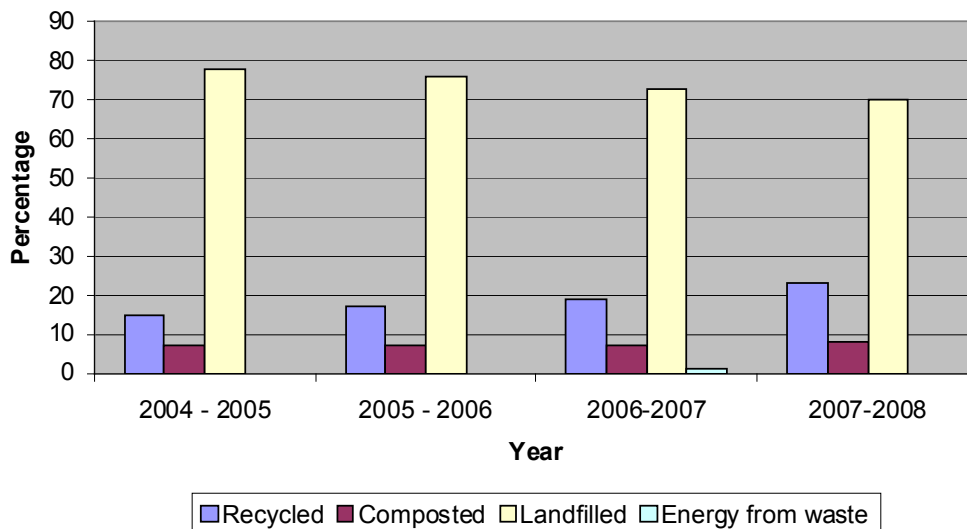
### Limitations in waste information

9.7 A feasibility study undertaken by the Environment Agency to provide details of Waste Management License (WML) applications deemed exempt from requiring a WML is still ongoing. This information will assist in identifying those operations although exempt from WML requirements may still require planning permission and aid in capturing those operations that would ordinarily slip through the planning system. This identification process would then assist in achieving a number of the more specific objectives set out in the UDP paragraph 12.2.2. An update will be provided in subsequent AMRs.

9.8 Core Indicators W(1)

(ii) Amount of municipal waste arising by management type and the percentage each management type represents of the waste managed:

**Figure 21: Percentage trends of municipal waste by management type 2004-2007/8**



(Source: Herefordshire Council Waste Management Section)

9.9 **Figure 21** represents the percentages of municipal waste, by waste management type in the county over the last monitoring period. Municipal waste recycled has increased on last year by 4% from 16,922t to 19,712t;

composting has marginally increased from 7% to 8%, landfilled municipal waste has decreased from 65,888t to 60,634t. The policies over the past 4 years have seen a continued composting regime and a steady increase in recycling and decrease in landfill dependency.

### **Shortfalls in Waste Information**

- 9.10 Improvements over the short term were achieved and reported on in last year's AMR and medium term improvements are moving in the right direction. Developing trend data by repeating and comparing figures over time for municipal waste management types is improving monitoring and interpretation. The ongoing feasibility will look into those facilities that do not require a WML but may require planning consent.

### **Future Work**

- 9.11 The monitoring of the LDF in the future is likely to include a wider range of waste streams to than is currently reported. A waste study for the evidence base of the Core Strategy is currently being undertaken and through this process it is envisaged that more information will be reported through the AMR process.

## Section 10: DEVELOPMENT REQUIREMENTS

Objective (DR1): ensure that development proposals take advantage of the opportunities that are available to contribute to sustainable development

Objective (DR2): provide for the sustainable conservation, protection and enhancement of natural environmental resources such as water, air, land, biodiversity and tranquillity

10.1 UDP Policies relating to Objective  
S2 Development Requirements  
DR6 Water Resources

10.2 Target  
There are no specific UDP targets for development requirement policies. However the Plan does recognise that water is an essential resource and that pollution of it can have serious effects on drinking water supply (including private water supplies), industry, agriculture and ecology.

10.3 In previous AMRs the regional core indicators included planning applications granted against the advice of the Environment Agency on both flood plain and water quality grounds. However, changes have been made to the core indicators and as such only applications granted against the Environment Agencies advice on water quality grounds is included in this years AMR. Thus this section reflects those updates for instance the objectives and policies are different and the core indicators have been updated.

10.4 Core indicator  
Number of planning permissions granted contrary to the advice of the Environment Agency;  
(i) Development that adversely affects water quality.  
There were no planning applications in 2007-8 that were granted planning permission with an outstanding Environment Agency's (EA).

### **Limitations and Shortfalls in Development Requirements Information.**

The Environment Agency has improved their records and is now reporting their objections in line with the AMR reporting period. The 2007 AMR reported 2005/06 objections and this year's was to report 2006/07, however with improvements in monitoring information the AMR is now able to report for 2007/8. The 2006/2007 reporting period had no planning applications granted permission with outstanding objections from the Environment Agency

## Section 11: NATURAL HERITAGE

### Objective NHH (1)

To conserve and enhance the natural heritage of the County and avoid, wherever possible, adverse environmental impacts of development.

To minimise any unavoidable adverse environmental impacts by means of measures to mitigate or compensate for any loss or damage, including restoration or enhancement, provision of replacement features and future management.

#### 11.1 UDP Policies relating to Objective NHH (1)

- S7 Natural and historic heritage
- LA5 Protection of trees, woodlands and hedgerows
- NC1 Biodiversity and development
- NC2 Sites of international importance
- NC3 Sites of national importance
- NC4 Sites of local importance
- NC5 European and nationally protected species
- NC6 Biodiversity Action Plan (BAP) priority habitats and species
- NC7 Compensation for loss of biodiversity
- NC8 Habitat creation, restoration and enhancement
- NC9 Management of features of the landscape important for flora & fauna

#### 11.2 Targets NHH (1)

Although there are no specific targets set out in the UDP, the following sets out more specific objectives of biodiversity policies:

- safeguard international, national and local protected areas of nature conservation and geological importance, and species listed in the UK and local BAP (Herefordshire LBAP) from inappropriate and unnecessary development;
- ensure no net loss of either the quality nor quantity of biodiversity in the County;
- help meet the aims of the Herefordshire LBAP; and
- encourage the provision of features of value to wildlife in all development schemes.

#### 11.3 Core Indicators NHH (1)

Change in areas and populations of biodiversity importance, including:

- (i) change in priority habitats and species (by type); and
- (i) change in areas designated for their intrinsic environmental value including sites of international, national, regional, sub-regional or local significance.

### Local Biodiversity Action Plan (LBAP) Update

- 11.4 The Herefordshire LBAP is being revised. This work is nearing completion and awaiting confirmation of targets for each habitat or species action plan (HAPS and SAPS) from Natural England, the Forestry Commission and the

Environment Agency (Wales). When such confirmation is received the smart targets will be more compatible with the emerging LDF. Further information on how the Council is addressing biodiversity can be found in its Biodiversity Strategy 2007-2010 at:

[http://www.herefordshire.gov.uk/docs/Environment/Biodiversity\\_Strategy\\_110907.pdf](http://www.herefordshire.gov.uk/docs/Environment/Biodiversity_Strategy_110907.pdf). A national biodiversity reporting system is now in place for each County termed BARS (Biodiversity Action Reporting System). This can be found at [www.ukbap-reporting.org.uk](http://www.ukbap-reporting.org.uk).

### **National UK Priority Habitats and Species Update**

- 11.5 Originally there were 156 Priority Species identified for the purposes of Herefordshire's LBAP, of these 59 were also UK BAP priorities and some 18 were also legally protected under European and National law. However Species Action Plans were prepared for only 17 species. Similarly Herefordshire's LBAP covered 23 habitats with Action Plans. A recent national review of UK priority habitats and species has resulted in a larger list being reported.
- 11.6 The revision to Herefordshire LBAP referred to in paragraph 11.4 has resulted in some 17 Habitat Action Plans and 14 Species Action Plans now being in place and this is seen as a more practical approach for the County with, for example, some priority species issues being tackled through work in relation to habitats. The following comprise those species and habitats for which action plans have been prepared:

#### Species

Adder  
Argent and Sable  
Barn Owl  
Bats (11 species requiring similar actions)  
Black Poplar  
Dormouse  
Grizzled Skipper  
High Brown Fritillary  
Noble Chafer  
Pearl-bordered fritillary  
Tree sparrow  
Water Vole  
White clawed crayfish  
Wood white

#### Habitats

Arable field margins  
Blanket Bog  
Floodplain grazing marsh  
Hedgerows  
Lowland Calcareous grassland  
Lowland heath and dry acid grassland  
Lowland meadow and pasture  
Orchards  
Rivers and streams  
Standing open water (4 priority habitats requiring similar actions)

Upland calcareous grassland  
Upland heathland  
Wet woodland  
Wood pasture and parkland  
Woodlands (5 priority habitats requiring similar actions)  
Managed greenspace  
Purple moor grass and rush pasture

11.7 Change in Priority Habitats (by type)

Although a limited number of applications were received that indicated change in priority habitats none have been implemented during the period being monitored. Generally within the planning applications received, the change has been positive in that all show gains. They will be reported upon implementation of schemes.

11.8 The Council has, however seen some loss of hedgerows as a consequence of Hedgerow Removal Notices. Those for which permanent removal was accepted were permitted on the basis of achieving safety benefits. The extent is not quantified in this report as they were not the result of the grant of planning permission.

11.9 Core Indicator NHH (1)

(i) change in priority species (by type)

The Conservation Section maintains an overview of proposals that affect priority species in order to assess any major changes in their populations. For proposals affecting priority species, namely bats, barn owls and great crested newts, mitigation against adverse effects were sought, such as providing roost space or replacement habitats. Essentially any proposals where the effects on protected species are anticipated to be negative will result in the need for the applicant to seek a licence (or derogation) from Natural England. Herefordshire Council must complete the licence application questionnaire as part of this process. In all cases where the Council considered there were implications for protected species, mitigation proposals were sought that were considered to meet the requirements to maintain the favourable conservation status of those species. Natural England has raised no issues with the Council in relation to this as a consequence of licence applications.

11.10 Core Indicator NHH (1)

(ii) There has been no change in the areas of designated nature conservation sites as a consequence of planning permissions granted in 2007/8.

**Limitations in Natural Heritage Information**

11.11 Reporting on changes in Priority Species continues to be problematic due to difficulties in obtaining and maintaining robust records-keeping and systems to monitor impacts, whether positive or negative, that any completed development management programmes or planning agreements have on the locality of species occurrences. The absence of resources for such work continues to be an issue.

11.12 New systems are having to be evaluated in relation to identifying and monitoring the impact of planning proposals on biodiversity as a consequence of the Town and Country Planning (General Development Procedure) (Amendment) (England) Order 2008 which introduced 'Planning Application

Requirements' and the submission of biodiversity information. The implications of this for recording and monitoring change have yet to be evaluated. The Council's Planning Ecologist responded to consultations on 300 planning applications in 2007/8. This is not a complete record of how many applications, if approved, might affect biodiversity and priority habitats and species in particular.

### Further Work

- 11.13 A more comprehensive approach in terms of monitoring all applications for any potential impact on biodiversity; habitats and species in particular, is still required. This remains a medium term challenge that is being looked at as part of monitoring for the emerging LDF. Progress will be reported on in future AMRs.
- 11.14 A Green Infrastructure Strategy is being prepared as part of the LDF process and part of the evidence base is available. Figure 23 provides a brief update on additional monitoring requirements for habitats and species from last years AMR and indicates where further work is still needed.
- 11.15 Herefordshire Partnership (the Local Strategic Partnership) has included NI197 (management of local wildlife sites) within the Herefordshire Local Area Agreement (LAA). As a consequence a monitoring regime for this purpose is being established. The aim is to increase the quality of such sites. Changes resulting from the grant of planning permission in relation to such sites, especially where it is possible to achieve management plans for them through planning conditions may be an influencing factor. The principle of no net loss in such sites will also be an issue for that National Indicator.

**Figure 22: Additional Monitoring Requirements for Priority Habitats and Species**

Tasks	Action & Timescale	2007/2008 update
Council GIS, Conservation Section and HBRC to ensure that priority habitat and selected species data, when available, is plotted onto the Council's IT systems.	Ongoing.	Green Infrastructure study may be able to provide a significant amount of data previously difficult to obtain. The extent of its use will depend upon the subsequent strategy that is being prepared.
Council to continue to promote existence of Biodiversity Supplementary Planning Guidance (updated November 2005).	Promotion strategy is now in place. Training sessions for development control officers has been implemented and a standard presentation has been developed for groups outside the council.	Process is being maintained
Forward Planning Section to devise means of monitoring planning permissions.	Availability of resources remains an issue	A method needs to be devised. In the light of changes to the application procedures.

*(Update Source: Forward Planning Monitoring Meeting 002 of 25/04/07)*

## Section 12: RENEWABLE ENERGY

### Objective CFS (1)

Recognise the role of renewable energy and support its environmentally acceptable use.

#### 12.1 UDP Policies relating to Objective CFS (1)

S11 Communities Facilities and Services  
CF4 Renewable Energy

#### 12.2 Targets CFS (1)

There are no specific targets set out in the UDP for renewable energy policies. However, policy CF4 in the UDP seeks to provide guidance on the considerations that will be applied to renewable energy development proposals.

#### 12.3 Local Indicators CFS (1)

(i) Applications for renewable energy

Figure 24 represents the permissions during this reporting period for renewable energy schemes this is a significantly increase on the previous year from 5 to 17 applications.

**Figure 23: Renewable Energy Permissions 2007/2008**

Application Number	Development Proposal	Site Location	Status	Energy produced
DCSW2007/0612/F	Erection of wind turbine	Farmhouse Farm, Abbeydore, Herefordshire,	Not started	N/A
DCSW2007/1641/F	The drilling of 3 boreholes within confines of the garden for connection to a ground source heat pump for domestic heating and hot water	Upper Demesne, Garway, Herefordshire,	Complete	Total electricity use over the year 13,000kwh, 60% of which is thought to be from the ground source heat scheme.
DCNE2007/1806/F	Proposed garden room and installation of two solar panels	The old bell Harcourt Road, Mathon,	Not started	N/A



<b>Application Number</b>	<b>Development Proposal</b>	<b>Site Location</b>	<b>Status</b>	<b>Energy produced</b>
		Malvern,		
DCNW2007/2124/F	Erection of 2 solar panels on a steel post on a concrete base	Open countryside land, Nr Croft Castle, Herefordshire	Not started	N/A
DCCW2007/2160/F	Installation of 2.5kw wind turbine and photovoltaic roof panels	Marden Primary school, Marden, Herefordshire	Complete	Total Kwh not known.
DCSE2007/2799/F	First floor bedroom extension. Proposed new windows and solar panels	White Walls, Foy, Ross-on-Wye, Herefordshire	Solar panels complete	Two panels produce a total of 1200kwh
DCCE2007/3004/F	Proposed 4m high timber monopole c/w wind generator, 3no antennas with ground mounted cabinet for rural broadband wireless access project.	Land at Dinedor Common, Dinedor, Herefordshire	Complete	No usage information at time of surveying.
DCSW2007/2971/F	The installation of a wind turbine, adjacent to barns.	Skyridd Farm, Pontrilas, Herefordshire	Complete	Energy output not known
DCNW2007/3066/F	Erection of detached double garage and provision of solar panels. Replacement of patio with window.	Crofters Medley, Green Lane, Orleton, Herefordshire	Solar panels complete	Total energy produced 854.5kwh since installed in May 2008.
DCSW2007/2944/F	Proposed wind turbine	Llancillo Hall Farm, Llancillo Hall, Pandy, Abergavenny, Herefordshire	Not started	Will be capable of producing 20kw.
DCNW2007/3236/F	Erection of solar panels on ground in front of property.	Pentregrove, Whitney-on-Wye, Hereford, Herefordshire	Complete	Since installed in February 2008 1134kwh of energy have been produced.

Application Number	Development Proposal	Site Location	Status	Energy produced
DCNC2007/2604/F	Change of use from warehouse/storage to distillery and biofuels plant. Erection of tower on building to house distillery column. Clad lean-to at NE side of building. New access road.	Rosemaund Farm, Roasemaund Drive, Preston Wynne, Herefordshire	Not started	N/A
DCNW2007/3607/L	Install solar panels	The Old Forge, Dilwyn, Leominster, Herefordshire	Complete	Capable of producing 1000kw per year.
DCNW2007/3671/F	Proposed wind turbine and plant room/field barn to supply Middle Barn with power	Middle Barn, Green Lane, Titley, Kington, Herefordshire	Under Construction	N/A
DCNC2008/0291/F	Proposed new industrial building, including 5kw wind turbine	Plot 5, Brunel Road, Leominster Enterprise Park, Leominster,	Not started	N/A
DCNW2008/0284/F	Proposed change of use from ancillary accommodation into two self contained holiday units and installation of solar panels.	Little Quebb Farm, Eardisley, Herefordshire,	Complete	Energy production unknown
DCNW2008/0321/F	Proposed erection of a 9.3 metre wind turbine for electricity generating	Hollywell Cottage, Eardisley, Herefordshire	Not Started	N/A

#### 12.4 AMR Update

In last years AMR there were 6 outstanding applications. Figure 24 updates information for these applications.

**Figure 24: Outstanding Renewable Energy Permissions from 2006/2007**

Application Number	Development Proposal	Site Location	Status of Application
DCCW2005/3683/F	Erection of a 15m wind turbine	Whitecross High School, specialist sports college, Three Elms Road, Hereford,	Not started. Capable of producing 15kw of energy, 6% of the school's energy supply.

<b>Application Number</b>	<b>Development Proposal</b>	<b>Site Location</b>	<b>Status of Application</b>
DCNC2006/1300/F	Erection of a wind turbine with a 5m rotor diameter approved 13 <sup>th</sup> June 2006	Bromyard Queen Elizabeth School	Operational with effect from 18 <sup>th</sup> August 2008 and has produced 70kw since it was installed.
DCNC2006/1720/F	Retrospective application for erection of electricity generating wind turbine approved 28 <sup>th</sup> Sept 2006	Ledwyche Farm Bleathwood, Little Herefordshire	Not started
DCCW2006/2845/F	Off Grid turbine on a small holding approved 18 <sup>th</sup> Oct 2006	Hawkersland Burmarsh Marden	Under construction.
DCCW2006/3908/F	2m diameter wind turbine to provide electricity on small project by the Bulmer Foundation approved 7 <sup>th</sup> Feb 2007	Upper House Farm Westhope	Not started.
DCCW2007/0326/F	Lighting column including wind turbine and solar panel approved 29 <sup>th</sup> March 2007	Burghill School	Complete

#### 12.5 Limitations and Further Work

It was reported last year that improvements were needed to monitor renewable energy planning applications. Options are being considered to capture this more efficiently, possibly through the new national planning application form 1-APP and the replacement for the Council's MVM system. Information in figure 24 shows renewable energy permissions during this monitoring period and a step change has been made by recording the status of each application in terms of not started, under construction or complete. Where information is available the total Kilowatts produced are recorded, however, this information is not available in all instances.

- 12.6 The collection of information upon the carbon dioxide savings made from renewable energy schemes would be advantageous but this is likely to be a long term aspiration as it is problematic. It could be addressed through the LDF process. An update on progress on this issue will be provided in subsequent AMR's as necessary.
- 12.7 In addition to the above, work has started on how to create a baseline of renewable energy schemes and energy produced from such schemes for the monitoring of the LDF. All the applicants/agents of the schemes mentioned in this monitoring year have agreed to provide details of the energy produced at the time of survey. It is hoped that a baseline of information will emerge in time for monitoring of policies in the Core Strategy and other documents under the LDF. Updates will be reported in subsequent AMRs.

## Appendix 1: Glossary

**the Act:** the Planning and Compulsory Purchase Act 2004.

**Annual Monitoring Report (AMR):** part of the *Local Development Framework*, the AMR will assess the implementation of the *Local Development Scheme* and the extent to which policies in *Local Development Documents* are being successfully implemented.

**Area Action Plan:** used to provide a planning framework for areas of change and areas of conservation. Area Action Plans will have the status of *Development Plan Documents*.

**Contextual indicators:** measure changes in the wider social, economic, and environmental background against which policies operate. As such, they help to relate policy outputs to the local area.

**Core Strategy:** sets out the long term spatial vision for the local planning authority area, the spatial objectives and strategic policies to deliver that vision. The core strategy will have the status of a *Development Plan Document*.

**Development Plan:** as set out in Section 38 of the Act, an authority's Development Plan consists of the relevant *Regional Spatial Strategy* and the *Development Plan Documents* contained within its *Local Development Framework*.

**Development Plan Documents (DPDs):** spatial planning documents that are subject to independent examination, and together with the relevant *Regional Spatial Strategy*, will form the *Development Plan* for a local authority area for the purposes of the Act. They can include a *Core Strategy*, site specific allocations of land, and Area Action Plans (where needed). Other *Development Plan Documents*, including generic development control policies, can be produced. They will all be shown geographically on an adopted proposals map.

**Evidence base:** information gathered by a planning authority to support the preparation of Local Development Documents. Includes quantitative and qualitative data.

**Housing trajectories:** means of showing past and future housing performance by identifying the predicted provision of housing over the lifespan of the Local Development Framework.

**Local Development Document (LDD):** the collective term in the Act for Development Plan Documents, Supplementary Planning Documents and the Statement of Community Involvement.

**Local Development Order (LDO):** allows local planning authorities to introduce local permitted developments rights.

**Local Development Framework (LDF):** the name for the portfolio of *LDDs* and related documents. It consists of *DPDs*, *Supplementary Planning Documents*, a *Statement of Community Involvement*, the *Local Development Scheme* and *AMR*. It

may also include *LDOs* and simplified planning zone schemes. Together all these documents will provide the framework for delivering the spatial planning strategy for a local authority area.

**Local Development Scheme (LDS):** sets out the programme for preparing *LDDs*. All authorities must submit a scheme to the Secretary of State for approval within six months of commencement of *the Act*.

**Monitoring:** regular and systematic collection and analysis of information to measure policy implementation.

**Outcomes:** macro-level real world changes which are influenced to some degree by *LDF* outputs.

**Outputs:** the direct effects of a policy e.g. number of housing completions, amount of employment floorspace etc.

**Output indicators:** measure the direct effect of a policy. Used to assess whether policy targets are being achieved in reality using available information.

**Plan, Monitor and Manage:** means of measuring and reviewing policy, involving the adjustment of policy through monitoring if necessary.

**Policy implementation:** assessment of the effectiveness of policies in terms of achieving their targets. Measured by use of *output and contextual indicators*.

**Use Class:** The Use Class describes the use of each property according to the Town and Country Planning (Use Classes) Order 1987 (as amended).

**Regional Spatial Strategy (RSS):** sets out the region's policies in relation to the development and use of land and forms part of the *Development Plan*. Planning Policy Statement 11 "Regional Spatial Strategies" provides detailed guidance on the function and preparation of *RSSs*.

**Saved policies and plans:** existing adopted *Development Plans* are saved for three years from the date of commencement of *the Act*. Any policies in old style *Development Plans* adopted after commencement of *the Act* will become saved policies for three years from their adoption or approval. The *LDS* should explain the authority's approach to saved policies.

**Strategic Environmental Assessment Directive (SEA):** A European Directive 2001/42/EC "on the assessment of the effects of certain plans and programmes on the environment".

**Supplementary Planning Documents (SPDs):** provide supplementary information in respect of the policies in *DPDs*. They do not form part of the *Development Plan* and are not subject to independent examination.

**Sustainability Appraisal (SA):** generic term used in this guidance to describe the form of assessment that considers social, environmental and economic effects that fully incorporates the requirements of the *SEA Directive*.

**Targets:** thresholds that identify the scale of change to be derived from policies over a specific time period (e.g. number of affordable homes to be built by a set date).

## **Appendix 2: Herefordshire's profile**

### **Setting the Context for Policies of the UDP: Contextual Indicators**

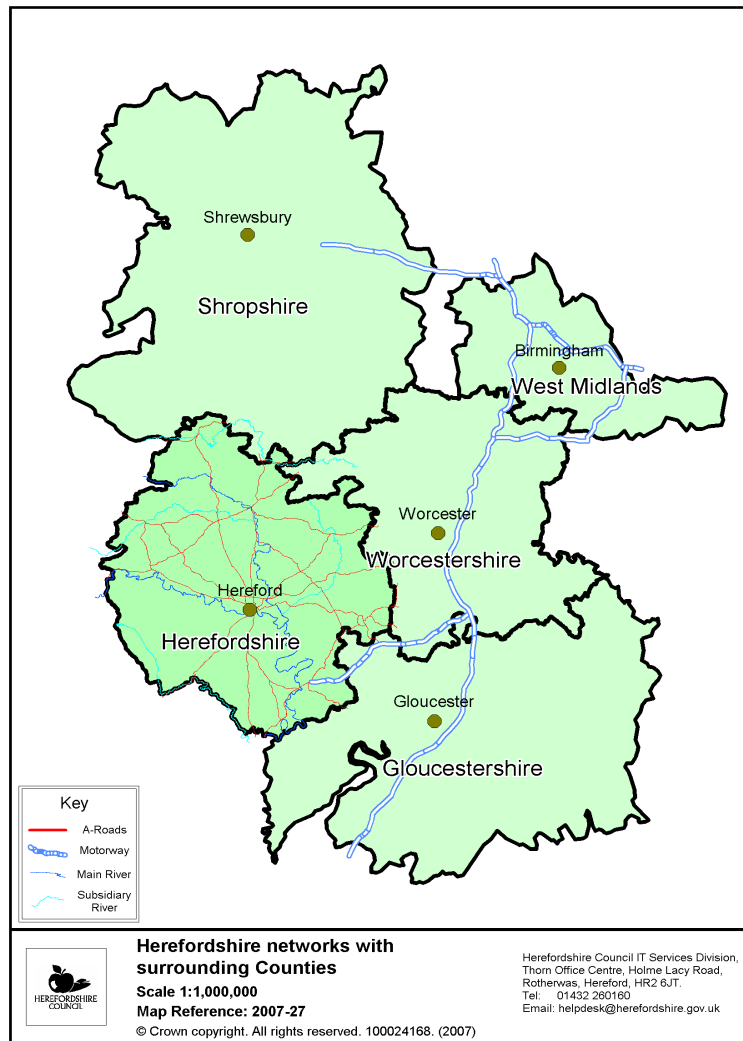
#### **Regional Context**

- 2.1 The UDP was prepared in the context of the West Midlands Regional Spatial Strategy. The West Midlands Regional Spatial Strategy (RSS) is part of the national planning system. It provides a long term land use and transport planning framework for the Region. It determines (amongst other things) the scale and distribution of housing and economic development across the Region, investment priorities for transport and sets out policies for enhancing the environment. Also incorporated into the RSS is the Regional Transport Strategy.
- 2.2 The RSS was published in June 2004 and has statutory status, all Local Development Plan Documents must conform to its principles, policies and proposals. In approving the document, the Secretary of State identified a number of policy issues to be addressed in revisions of the document. The revisions are being brought forward on a multi-track basis. The first phase focused on a 'Black Country Sub-Regional Study' was completed earlier in 2008. Phase 2 includes housing figures, employment land, transport and waste. A preferred option was submitted to the Secretary of State in January 2008. Work on Phase 3 has begun and will be looking at: critical rural services, recreational provision, regionally significant environmental issues and provision of a framework for Gypsy and Traveller sites.
- 2.3 The Regional Economic Strategy produced jointly by Advantage West Midlands (AWM) has recently been updated. The strategy intends to deliver sustainable economic development and growth in the West Midlands.
- 2.4 Herefordshire's economic vulnerability is reflected in and recognised by its inclusion in a wide range of European, national and local funding and other initiatives. The UDP's overall development strategy was developed alongside the strategic approach being taken through Objective 2 and the Rural Regeneration Zone.
- 2.5 A Regional Housing Strategy was published in 2005. It covers the period 2005-2021. Two primary aims of the strategy are; to give confidence to developers that the West Midlands is committed to develop and support vibrant housing markets within the context of the Urban and Rural Renaissance policies of the RSS; and to develop sustainable housing and sustainable communities. Both the UDP and the Council's Housing Strategy 2005/2008 were developed against a background of joint working at Regional level.

#### **Geography**

- 2.6 Figure 25 below shows the County of Herefordshire in relation to parts of the region. Herefordshire covers an area of 217,973 ha.

**Figure 25: Herefordshire geographic context with the West Midlands**



- 2.7 The main geographical feature of the County is the River Wye, which enters Herefordshire near the Welsh town of Hay-on-Wye, flows east to Hereford and then southwards, leaving the County at the Wye Gorge, downstream of Ross-on-Wye. Most parts of the County are drained by the Wye river system, although parts of the east and south east are in the Severn Valley and the north is drained by the River Teme, a tributary of the Severn.
- 2.8 The County's landscape is one of rolling hills and wide river valleys interspersed with small villages. The eastern edge of the County borders with Worcestershire that runs along the line of the Malvern Hills, which rise to over 400 metres above sea level. The Black Mountains in the south west of the County form another elevated area.
- 2.9 The City of Hereford is the major centre for civil and ecclesiastical administration, health, education and leisure facilities, shopping and employment. Five market towns surround the City at about 10-15 miles distant: Leominster to the north, Bromyard to the north east, Ledbury to the east, Ross-on-Wye to the south east and Kington to the west.

## Population

- 2.10 The most recent estimate of the population of Herefordshire is 178,400. This is the Office for National Statistics' (ONS) 2007 mid-year estimate, published in August 2008. This represents an increase of 600 people (0.3%) since 2006. This increase was made up of 1,700 births; 2,000 deaths; net migration of 700 people from other parts of the UK and 100 from overseas, plus an estimated increase of 100 in the number of armed forces resident in the county.
- 2.11 Herefordshire has a higher proportion of its population living in very sparsely populated areas (0.5 or fewer residents per hectare) than any other English county-level authority (2001 Census). Just below one-third of the population lives in Hereford City, about a fifth in the market towns and almost half in rural areas. Figure 26 below shows a breakdown of the County's population showing the number of people living in Hereford and the market towns, based on 2006 mid year estimates.

**Figure 26: Herefordshire's Urban Population**

Hereford	Leominster	Ross-on-Wye	Ledbury	Bromyard	Kington
55,000	11,100	10,000	9,800	4,600	3,200

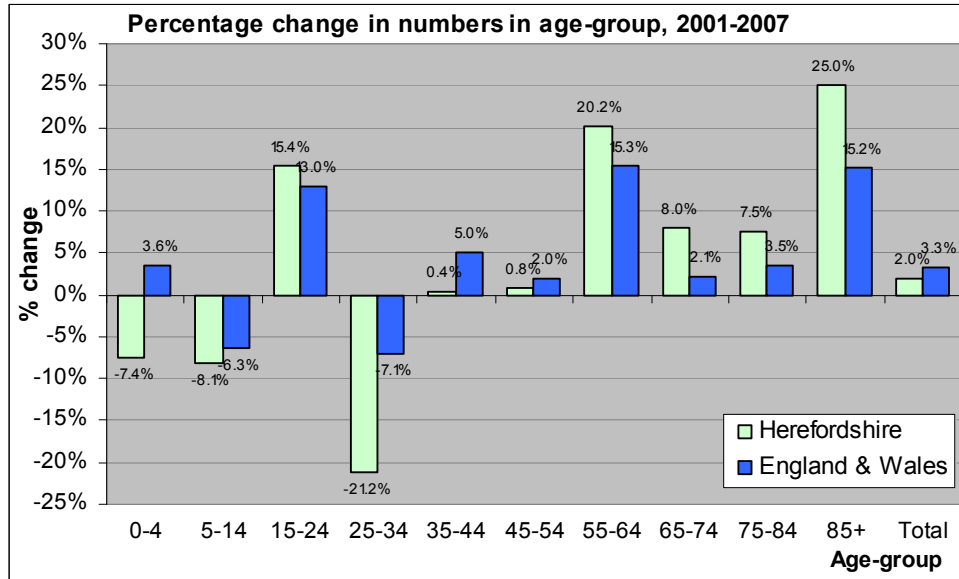
(Source: 2006 MYE)

- 2.12 The number of deaths per annum is currently about 2,000, whilst the annual number of births is lower at about 1,700. The Total Fertility Rates (i.e. the average number of children that would be born per woman if women experienced the age-specific fertility rate throughout their child-bearing lifespan) for the 2006 calendar year is 1.86 for Herefordshire, which is slightly below the rate for England and Wales of 1.87; and below the West Midlands regional rate of 1.96.
- 2.13 The population of Herefordshire grew by 2.0% between 2001 and 2007: an increase of 3,500 people from 174,900. This is slightly below that of the population of England and Wales as a whole (3.3%).
- 2.14 As Figure 27 below illustrates, there have however, been more dramatic changes within age groups. Changes have generally been in the same direction as nationally, except for the decreases in the number of under 5s in Herefordshire.
- 2.15 The increases in the numbers of people in the over-65 age groups in Herefordshire have been notably higher than the equivalent national increases. Most dramatically, the number of people aged 85 and over in Herefordshire has increased by 25%, which represents an increase of 1,000 people.
- 2.16 The number of 25-34 year-olds in Herefordshire fell by 21.2% (4,300 people) over the period – almost three times the national decrease. However, the largest absolute change in the county was an increase of 4,400 people in the 55-64 year age group.
- 2.17 The net effect of the changes within the working age population was an overall increase of 1,300 people of working age in Herefordshire between



2001 and 2007. This translates to a growth of 1.3%, although this is lower than the equivalent national increase (4.2%).

**Figure 27: Population change (%) by age group in Herefordshire and England & Wales, mid-2001 to mid-2007**



Source: Population Estimates Unit, ONS © Crown Copyright.

## Employment

- 2.18 Employment rate is measured by calculating the percentage of working age population that are employed (full time, part time and self-employed). Working age population is defined as 16-59 for females and 16-64 for males. The data presented here comes from the Annual Population Survey (APS). Herefordshire has a high employment rate compared to both the West Midlands region and England as a whole. In 2006, Herefordshire had an employment rate of 80% compared to 73% in the West Midlands and 74% for England. When compared to neighbouring local authorities differences are less clear and none of them are significant.
- 2.19 The narrow economic base inherited from pre-industrial times largely persists in Herefordshire. Whilst it can be argued that Herefordshire still has a dependency on food production and processing and rural resource management, where previously administrative services and tourism have also been evident, the potential economic vulnerability has resulted in a decrease in these areas. With continued diversification in Hereford and the market towns into more specialised manufacturing and service sectors (including wholesale retail and repair services and health and social work) these are now the sectors employing the most people in Herefordshire.
- 2.20 Outside agriculture, more employment is in declining sectors and less in growth sectors than the national economy. The business size profile is characterised by a few large employers, mainly in the food processing sector, very few medium sized enterprises and a great number of small firms.
- 2.21 Figure 28 shows a breakdown of employment by sector using Annual Business Inquiry (ABI) data, the latest for which was 2006. Due to the way

that this data is collected the table excludes information on the self-employed. The wholesale, retail and repair trades sector employs the most people in Herefordshire (20% of all employees, followed by manufacturing (15%) and health and social work (13%). These three sectors account for 49% of employees.

2.22 As previously stated, the data collected does not include self-employed people. At the time of the 2001 census there were 17,119 people self-employed in Herefordshire (20% of the working population), an important factor in Herefordshire since more people are self-employed here than in other areas. Furthermore, the ABI underestimates the number of employees working in the agriculture, hunting and forestry sector as farmers are classed as proprietors (self-employed) rather than employees.

**Figure 28: Employment by Sector (excluding self employed)**

Industry	Herefordshire		West Midlands	England
	No.	%	%	%
A : Agriculture, hunting and forestry	5,500	7%	1%	1%
B : Fishing	0	0%	0%	0%
C : Mining and quarrying	0	0%	0%	0%
D : Manufacturing	11,200	15%	15%	11%
E : Electricity, gas and water supply	0	0%	0%	0%
F : Construction	3,800	5%	5%	5%
G : Wholesale and retail trade; repair of motor vehicles, motorcycles and personal and household goods	15,200	20%	17%	17%
H : Hotels and restaurants	4,900	7%	7%	7%
I : Transport, storage and communication	3,200	4%	6%	6%
J : Financial intermediation	800	1%	3%	4%
K : Real estate, renting and business activities	7,700	10%	15%	18%
L : Public administration and defence; compulsory social security	2,300	3%	5%	5%
M : Education	6,400	9%	10%	9%
N : Health and social work	9,700	13%	12%	12%
O : Other community, social and personal service activities	3,600	5%	5%	5%
P : Private households with employed persons	0	0%	0%	0%
Q : Extra-territorial organisation and bodies	0	0%	0%	0%
<b>Total employees</b>	<b>74,300</b>			

*\*Figures are rounded to the nearest 100. (Source: ABI 2006 full & part-time employees)*

2.23 In April 2008 1,471 people were unemployed and claiming benefit in Herefordshire. This is a decrease of 46 people from the previous quarter, January 2008 (1,517). The number of claimants is also lower than the number seen in April 2007 (1,513). Unemployment rates show the percentage of the working age population claiming unemployment benefits. Herefordshire's unemployment rate for April 2008 was 1.4%, which has decreased from 1.5% in the last quarter and is lower than the level recorded

in April 2007 (1.5%). Unemployment rates for the West Midlands region are much higher (3.0%) in comparison to Herefordshire. This figure has remained static from the last quarter (3.0%) but is lower than this time last year (3.3%). Rates for England, 2.2% remain static from the last quarter, January 2008 but are lower than this time last year (2.5%).

- 2.24 Further data from the Herefordshire Partnership February Quarterly Economic Report 2008 indicates that Herefordshire has annual gross median earnings of £20,043.71; lower than the region which is at £22,421.43; and nationally at £24,090.00. In addition, employees in the County work longer hours than their regional and national counterparts.

## Housing

- 2.25 The 2001 Census classified housing tenure into four categories: owned outright, buying, rented privately and rented from local authority/housing association. Figure 29 shows the percentage of households with different types of tenure in the County as compared to the region and to England and Wales. Herefordshire has a higher proportion of houses which are owned outright – this would be expected to follow from the County’s age distribution, with its higher than average number of older people (particularly the over 60’s) who are likely to have paid off a mortgage.
- 2.26 The proportion of socially rented properties in Herefordshire is lower than the average. Since November 2003 when the Council transferred its housing stock, all the socially rented units are rented from Registered Social Landlords (RSLs) (housing associations). Although 26 RSLs have a presence in the County it is primarily 6 RSLs who between them, own the bulk of Herefordshire’s social housing. Most social housing is found in Hereford and the market towns, but four rural parishes (Colwall, Kingstone, Credenhill and Weobley) had over 100 units of social housing (in 2001) and 51 parishes have 20 units or more.

**Figure 29: Housing Tenure**

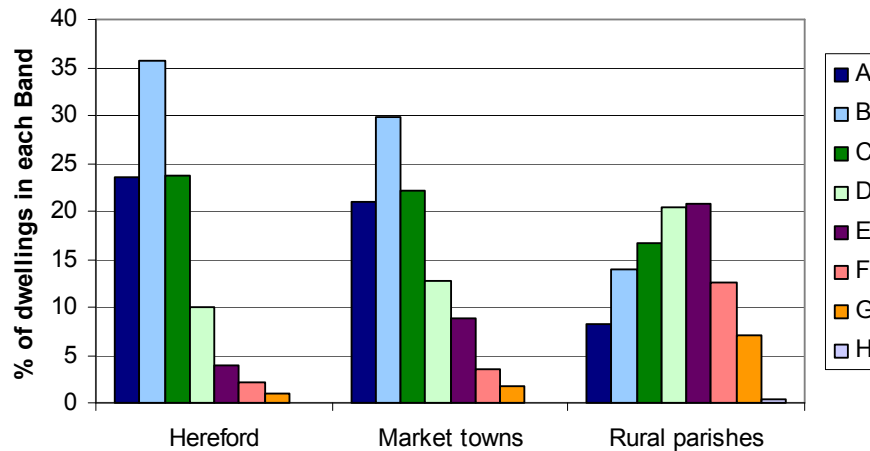
Tenure	Herefordshire	West Midlands Region	England & Wales
Owned outright	36%	30%	29%
Owned with a mortgage or loan	35%	39%	39%
Shared ownership (i.e. part rent / part mortgage)	0.86%	0.67%	0.64%
Socially rented from a Housing Association or from the Council	15%	21%	19%
Privately rented or ‘other’ (includes tied homes)	13%	10%	12%

(Source: 2001 Census)

- 2.27 The 2007 house price to income ratio in Herefordshire was 9.40. Herefordshire has the 4<sup>th</sup> highest ratio amongst authorities in the West Midlands. (Source: CLG)

2.28 The distribution of Council Tax bands can be seen in figure 30 below. In Hereford and the market towns, the greatest proportion of properties are in band B, while rural parishes have more in bands D and E.

**Figure 30: Distribution of Council Tax Bands in Herefordshire 2007**



(Source: Herefordshire Council 2007)

### Skills

2.29 Figure 31 and 32 provide data on levels of literacy and numeracy in Herefordshire compared with regional and national statistics. The results are grouped into low, lower and very low, as used by the Basic Skills Agency. 'Low' means on the borderline of functional literacy and numeracy. Those falling within this category may need little, if any instruction to reach the national average. 'Lower' denotes those who have some skills, although these may be weak. This group may have difficulties in coping with some of the everyday literacy and numeracy requirements. 'Very Low', most adults in this group need intensive instruction to bring them up to the basic level.

2.30 In Herefordshire the five wards with the highest levels of poor numeracy are Belmont (42%), St. Martins (35.3%), Leominster North (30.2%), Hinton (29.6%) and Holmer (28.6%). (Source: Herefordshire Economic Assessment 2005-2007)

**Figure 31: Estimated Numeracy Levels Locally, Regionally and Nationally**

	Low %	Lower %	Very Low %	Total %
Herefordshire	10.3	7.5	6.0	23.8
West Midlands	13.7	8.6	7.4	29.7
England	12.0	7.0	5.0	24.0

(Source: Basic Skills Agency 2001)

2.31 In Herefordshire the five areas with the highest levels of poor literacy are Belmont (36%), Merbach and Castle (both 35%), St. Martins (32.5%) and

Golden Cross (31.7%). According to the West Midlands Household Survey 2002, 93% of respondents in Herefordshire have neither numeracy nor a literacy deficiency. This compares favourably with the average for the region, which was 89%. (Source: *Herefordshire Economic Assessment 2005-2007*)

**Figure 32: Estimated Literacy Levels Locally, Regionally and Nationally**

	Low %	Lower %	Very Low %	Total %
Herefordshire	17.7	3.5	4.2	25.5
West Midlands	15.8	5.9	6.1	27.9
England	15.0	5.0	4.0	24.0

(Source: *Basic Skills Agency 2001*)

### Deprivation

2.32 The Indices of Deprivation (ID) 2007 from CLG are used widely to identify areas of deprivation. Deprivation levels have been calculated by combining a number of indicators across seven domains into a single score and rank for each Super Output Area in England. The seven domains are income; employment; health and disability; education; skills and training; barriers to housing and services; living environment deprivation and crime.

2.33 When looking at the overall ID there are 8 SOAs in Herefordshire within the 25% most deprived in England; 6 of these are in Hereford (centre and south of the River Wye) and 2 in Leominster. 1 of the areas in Hereford City also falls within the 10% most deprived in England. (Source: *CLG, 2007*)

### Environment

2.34 Herefordshire contains a wealth of listed buildings, registered parks and gardens, scheduled ancient monuments and conservation areas. These add to the special built quality and environmental character of many areas of the County and their protection and enhancement is recognised as an important ingredient for economic and neighbourhood renewal. Figure 33 provides a breakdown of the numbers of such historic environments.

**Figure 33: Herefordshire's Historic Environment**

Listed Buildings (Grades I, II & II*)	Registered Parks & Gardens	Scheduled Ancient Monuments	Conservation Areas
≈5,918	24	262	64

(Source: ≈English Heritage & Herefordshire Council)

2.35 Herefordshire is considered to be the West Midlands' most rural county and boasts a quality of landscape that is nationally acclaimed. Herefordshire has two landscape areas of national significance, the Wye Valley Area of Outstanding Natural Beauty (AONB) in the south and Malvern Hills AONB in the east. Both are supported by management plans, which seek to conserve landscape character through various forms of land management. The UDP,

through its policies, looks to complement the management plans, reconcile development needs and visitor pressure with the conservation of the AONB's landscape and natural resources, and restore vulnerable and degraded landscapes when opportunities arise.

2.36 The UDP policies have been informed by a systematic assessment of landscape character, rather than reliance on local designations to give added protection to important areas of landscape not covered by national designations. Policies ensure that development proposals throughout the County will need to clearly demonstrate that their design and layout incorporate opportunities to conserve, restore and enhance distinctive landscape character and, where necessary and appropriate, any prominent landscape features. Proposals must also pursue environmental and maintenance arrangements to ensure environmental benefits are maintained over time.

2.37.1 Herefordshire is host to many important habitats and species. The importance of the nature conservation and geological resources is reflected in the number and variety of international, national, and local designated sites. Figure 34 identifies the types and numbers of such designations across Herefordshire. Sites of Importance for Nature Conservation (SINCs) continue to be represented and have the same level of protection as Special Wildlife Sites (SWSs).

**Figure 34: Conservation Designations in Herefordshire**

<b>Special Areas of Conservation (SAC's)</b>	<b>Sites of Special Scientific Interest (SSSI's)</b>	<b>National Nature Reserves (NNR's)</b>	<b>Special Wildlife Sites (SWS's)</b>	<b>Sites of Importance for Nature Conservation (SINCs)</b>	<b>Local Nature Reserves (LNR's)</b>	<b>Regionally Important Geological Sites (RIGS)</b>
4	77	3	709	56	7	117

*(Source: Herefordshire Council Biological Records Centre, Earth Heritage Trust)*

2.38 Herefordshire also contains areas of archaeological importance. It is recognised that archaeological remains are a valuable but fragile part of our heritage; once destroyed they can never be replaced. Maintaining this resource is an important part of the Council's commitment to conservation. The UDP's policies aim to protect and enhance archaeological sites and their wider settings. In addition to a large number of nationally designated Scheduled Ancient Monuments, the county also contains non-scheduled but nationally important archaeological sites and those of regional and local importance. Such areas are afforded protection through UDP policies.

2.39 The archaeological importance of Hereford city centre was recognised by the designation in 1983 of a large part of the central area as an Area of Archaeological Importance (AAI). Designation confers on developers and their agents the duty of giving prior notification of new proposals to Herefordshire Council, which has a statutory right to enter the site to make records concerning all development.

2.40 The council are also striving to improve geological diversity, known as geodiversity, through developing a Geodiversity Action Plan (GAP). The

consultation phase of the GAP for Herefordshire was completed in March 2007. Funding was obtained from the Aggregates Levy Sustainability Fund through Natural England, to carry out an audit of geodiversity sites in Herefordshire in 2007-8 and this is currently underway. An update on this will be provided in the next AMR.

## **Appendix 3: Local Development Framework preparation**

### **Monitoring the Local Development Scheme**

#### **Introduction**

- 3.1 This section reports on progress in achieving the timetable and milestones set out in the Council's Local Development Scheme (LDS). The relevant version of the Scheme is that operative from January 2008.
- 3.2 Each proposed Local Development Document identified in the LDS is listed below, with a brief review of progress in meeting the milestones and timetable in the reporting period. Where slippage in the original timetable is identified, this is explained and an indication of the revised programme given. Timetable revisions will be incorporated in the annual review of the LDS.

#### **Core Strategy**

- 3.3 Work on the Core Strategy began in September 2006. Early consultation on issues to be addressed was undertaken in June 2007, with a more formal consultation on this aspect in September 2007, in line with the LDS programme.

#### **Planning obligations SPD**

- 3.4 Work commenced in April 2006, with early initial consultation on options taking place in August 2006. Public participation was carried out in line with the LDS programme in March 2007. Adoption of the SPD took place in March 2008.

#### **Edgar Street Grid SPD**

- 3.5 This design framework for the regeneration of the Edgar Street Grid area of Hereford has been prepared in accordance with the LDS programme. The SPD was adopted in November 2007.

#### **Hereford Area Action Plan**

- 3.6 This document was added to the LDS in 2008. Work on evidence gathering for this document began in May 2008. Key milestones will be reported on in subsequent AMRs.

#### **Archaeology and Development SPD/Historic Landscapes SPD**

- 3.7 Work on these documents began as planned in January 2007, although competing pressures within the conservation section have affected progress. A draft Archaeology and Development SPD was published for consultation between 12<sup>th</sup> June and 25<sup>th</sup> July 2008 with adoption of the document expected in January 2009. A draft Historic Landscapes SPD is still in preparation and English Heritage has recently provided resources that have led to the expansion of its remit, in particular to help inform the LDF. It



is included to complete this work so that consultation can be undertaken during February and March 2009.

#### **Model Farm, Ross-on-Wye SPD**

- 3.8 Planning permission was granted for the site in January 2008 for the development of employment uses including B1, B2 and B8 together with the change of use an adjacent landscape buffer zone. Consultation took place through the UDP process and through the outline planning application. Detailed proposals, design and layout matters have been discussed with the local community through the preparation of this SPD. A draft SPD was published for consultation purposes in June 2008 with adoption in October 2008.

#### **Polytunnels SPD**

- 3.9 The preparation of an SPD for the issue of polytunnels was added to the LDS in 2008. Delays in preparing the document resulted has impacted upon the adoption date of the SPD which is now expected in December 2008.

## Appendix 4: Herefordshire Five Year Housing Supply April 2008

### Introduction

The requirement is for the period beginning April 2008- end March 2013 and consists of:

- a. Housing requirement to meet the Unitary Development Plan (UDP) housing requirement up to 2011; and
- b. Two years of the current Regional Spatial Strategy (RSS) average annualised housing provision for Herefordshire as set out in Table 1 of the RSS<sup>1</sup>.

### Calculations

#### UDP housing requirement

1) UDP Housing target 1996-2011	=12,200
2) Completed dwellings 1996-2008	= 9,665
3) Housing requirement 2008-2011	= 2,535
4) Regional Spatial Strategy (RSS) housing provision for Herefordshire 2012 and 2013	= 1200
<b>5) Total requirement 2008-2013 ( 3 + 4)</b>	<b>= 3,735</b>

**Figure 36: Housing supply as of 1<sup>st</sup> April 2008**

Dwellings with Planning permissions	Not started	1,774
	Under construction	750
UDP Allocated Housing sites (without planning permission)		1,470
<b>Total supply 2008</b>		<b>3,994</b>

Outstanding planning permissions within the County are considered to be available, suitable and achievable in terms of paragraph 54 of PPS3, while the UDP housing sites are proposed within a recently adopted document (March 2007) and there is no evidence at present to suggest that these sites will not be developed within 5-years.

Work on developing the evidence base for the Local Development Framework (LDF) includes the preparation of a Strategic Housing Land Availability Assessment (SHLAA), which may identify additional land that could contribute to a five-year housing supply in future years.

<sup>1</sup> Note RSS Housing figures for Herefordshire are currently expressed as maxima (no minima is set).

## **POLYTUNNELS SUPPLEMENTARY PLANNING DOCUMENT**

**Report By: Planning Policy Manager**

### **1 Wards Affected**

Countywide

### **2 Purpose**

- 2.1 To inform members of the comments received to the Draft Poly tunnels Supplementary Planning Document (SPD) published for consultation purposes in June 2008 and to consider appropriate changes. This document is included within the Council's Local Development Scheme and is being produced as part of Herefordshire's Local Development Framework. It will set out the Council's policy and approach to dealing with planning applications for polytunnel developments.

### **3 Financial Implications**

- 3.1 The costs of preparing this document is being met from the Planning Delivery Grant.

### **4 Background**

- 4.1 This supplementary planning document is being produced to expand upon and provide additional information and guidance in support of policies and proposals in the Herefordshire Unitary Development Plan. As there is no single polytunnels policy within the Plan, a range of policies will need to be considered when assessing such proposals.
- 4.2 The purpose of the document is to make clear to applicants and interested parties the policy areas and requirements such development proposals will need to address and against which they will ultimately be assessed. Once adopted, it will become a material consideration in the determination of planning applications. The document will replace the Council's Voluntary Code of Practice to control polytunnels which has been suspended.
- 4.3 In July 2007 and as part of initial consultation and information gathering, the Council published an Issues Paper and sought the views of Parish Councils, statutory undertakers, interested organisations, growers and stakeholders as to the form that this document should take. This was followed by structured consultation events with both representatives from the farming/growing community and with local individuals and representatives from interested lobby groups. The consultation process follows the Council's Statement of Community Involvement and comments received helped shape the draft SPD.
- 4.4 The draft SPD was presented to Planning Committee on 11<sup>th</sup> April 2008 and approved for consultation purposes by Cabinet on 12<sup>th</sup> June 2008. The

draft was accompanied by a Sustainability Appraisal and Consultation Statement. Consultation on the draft took place over the period 26 June to 8 August 2008.

## 5 Aims of the SPD

5.1 The aim of the SPD is to assist all involved as to the requirements and issues to be addressed in any polytunnel development proposal. In so doing it attempts to:

- Help clarify the forms of development that will require planning permission;
- Set out the planning issues associated with the erection of polytunnels;
- Set out the UDP policies that will need to be addressed;
- Make clear the additional information that would need to accompany an application; and
- Set out the Council's pre-application planning guidance.

## 6 SPD Outline

6.1 The SPD is made up of the following sections:

- Sections 1 and 2: Introduction and Context – setting out role and purpose, use of polytunnels/methods of growing, associated development, planning control, planning policy context and main UDP policies.
- Sections 3 and 4: Planning Issues – outlining and assessing the planning issues that most frequently arise when planning applications are considered. Setting out policy guidelines.
- Section 5 – sets out the additional information that may need to be submitted with a planning application.
- Section 6 – advice and opportunity for pre-application discussions, advice on types and forms of applications including 'whole farm plans'.

## 7 Comments Received and Suggested Amendments

7.1 The draft SPD prompted many and varied comments from parish councils, residents groups, growers, statutory bodies, support groups, environmental groups, researchers and the local public. Many comments have been made with specific reference and knowledge of current local situations. Whilst the main changes proposed to be made to the document are summarised below, all proposed changes are shown in a final version of the SPD in Appendix 1. All written comments received are summarised along with a Council's response in Appendix 2. This summary will be included in a full Consultation Statement which will be published with the adopted SPD and accompanying Sustainability Appraisal.

7.2 Main changes proposed are:

- Redraft Section 2 – Planning Context, to simplify advise and interpretation of when development requires planning permission
- Update to use latest Defra statistics on soft fruit production
- Firm up requirements for applications to consider all/associated development of a polytunnel proposal (whole farm plans)
- Redraft section on surface water/water quality/pollution prevention to encourage sustainable drainage systems
- Provide further clarification on table top growing
- Clarify the protection to be afforded to AONBs
- Clarify guidance related to noise and buffer zones
- Re-order guidelines

**RECOMMENDATION**

**THAT** the Cabinet Member (Environment and Strategic Housing) be recommended to agree the changes to the draft Polytunnels SPD as identified in this report and for the document to be adopted as part of the Council's Local Development Framework.

**Background papers**

Local Development Scheme (January 2008)  
Statement of Community Involvement (March 2007)  
Herefordshire Unitary Development Plan (March 2007)



<b>Polytunnels Supplementary Planning Document</b>	
<b>Schedule of Comments Received from Consultees to Draft Consultation and Council's Response</b>	
<b>Name</b>	<b>Council Response</b>
<b>General Comments</b>	<b>Comments Made</b>
Leintwardine Group Parish Council	Dust and pollution should be minimised.
Sarah Faulkner – NFU West Midlands Region & Matthew Price NFU Ross & Ledbury branches	The NFU are concerned about the length of the document and the number of supplementary guidelines within it. Normal planning considerations have been omitted such as public rights of way, highway safety and archaeology.
	The SPD should avoid emotive vocabulary, which evokes quite misleading connotations and factually incorrect statements.
Gary Woodman - Chamber of Commerce	The chamber is concerned with the balance of the overall document, statements like 'industrial scale' and cost effective greenhouses' are not helpful or correct in their description of the operation.
Mr N J Cockburn - Grower	Several items such as footpaths, traffic, unregistered parks among others are already dealt with as normal planning considerations elsewhere and are being duplicated here.
Aubrey Green - Arrow Valley Residents Association	Absent: No commentary or guidelines on accommodation to serve the polytunnels. Without accommodation for workers and ancillary buildings polytunnels cannot operate. It is a significant oversight not to connect these issues within a single SPD. Nor any mention of sewage effluent disposal from accommodation. Water samples should be taken at the entry point into rivers, water courses by DEFRA / EA at a minimum of monthly intervals.
Duncan McCallum - DPDS Region	Many of the requirements in terms of ecology, archaeology etc are requirements of any planning application and it should be made clear that the requirements in the SPD are all inclusive and that information will be required in relation to any material consideration in any particular case, which may be in excess of the SPD.
	The SPD has addressed the many issues that may need to be considered in any polytunnel development. This has included public rights of way, highways safety and archaeology.
	Noted. The SPD has been written in a balanced manner to fairly reflect the issues that need to be addressed. Incorrect and misleading statements will be corrected.
	Acknowledged. These statements are proposed for change
	The SPD sets out the planning issues in summary and later in more detail linking the necessary planning policies that need to be considered.
	Planning policy guidance for associated buildings is guided by both national and local planning policies and is therefore not covered in this document.
	Noted, the SPD identifies all possible issues that a proposal may need to consider. Each application will need to be considered on their merits

Frank Hemming - Resident	I have not found a definition of sustainability in these documents. I have found the following definition of a sustainable society useful. "A sustainable society is one that can persist over generations, one that is far seeing enough, flexible enough, and wise enough not to undermine its physical, biological or social support systems." This is a definition I will try to apply.	Noted.
	I note that you have followed the advice given to local planning authorities by the Chief Planner in his letter of 25 July 2007 and that applications will be considered on their merits. It is helpful to set out when planning applications will be required, what information will be needed in a planning application and the criteria which the Council will take into account when considering applications.	Noted. Section 2 is proposed for change to help simplify when planning permission will be required. The information that may be required to accompany an application is set out in Section 5.
Mike Price - GOWM	The draft document sets this out and contains a good deal of back ground information on the reasons for managing the provision of polytunnels in a particular way. The final document may benefit from having the background information in appendices. I think that the document, at the moment, is complicated and that in drawing up the final version it would be of benefit if it were structured to address the following issues, in order:-Is planning permission required? The information the LPA requires with a planning application (with a clear statement of reasons); The criteria by which applications will be considered.	Noted. There are many issues that need to be covered within this document. The Council intends to provide a summary sheet for applicants.
Justin Burnett (on behalf of Mark Davies) - Environment Agency West Area Planning	We are generally satisfied with the content of the SPD given that it has been produced further to the consideration of our previous comments on the draft documents. It should be noted that we are currently in the process of preparing a 'guidance document' on the above which we anticipate will outline suitable techniques and be of assistance for those proposing polytunnel development. We would look to make this available following any publication, which could be a document of reference in the future.	Noted. Noted, however no data available to include within SPD.
Donna Tavernor - CLA West Midlands	Whilst we recognize that polytunnels are not pretty, they are producing food for local and national consumption and through the profitability of the grower, providing resources to maintain the landscape. CLA are pleased to see that the local planning authority want to assist application by having pre application discussions so that any issues can be identified at an early stage and any information required can be collected.	Noted. Noted.
James Dodds - JDIH Envireau	Details on hard copy of runoff system.	Noted.
<i>Guidelines 7, 8, 9 &amp; 10</i>		



Mr Peter Huyton - Resident	Are good and should not be changed.	Noted.
<b>Paragraph 1.1</b>		
Aubrey Green - Arrow Valley Residents Association	"With the use of polytunnels for agricultural soft fruit production expected to rise...." What is the basis for this supposition?	Noted. Wording proposed for change.
Mr A Fraser - Marden Resident	"Correct English to read Herefordshire Council has prepared...."	Correction.
<b>Paragraph 1.2</b>		
Mr A Fraser - Marden Resident	In general the document needs to indicate what it shall require in definitive statements in case an appellant should appeal a decision.	Each application will be judged on a case by case basis. Wording in this para. is sufficient.
<b>Paragraph 1.5</b>		
Sarah Faulkner – NFU West Midlands Region & Matthew Price NFU Ross & Ledbury branches	This paragraph refers to polytunnels as 'cost effective greenhouses'. This phrase is misleading as the document does go on to say that they may take various forms. It would be more accurate to state that they are used for crop protection, particularly from the rain.	Agreed. Wording proposed for change.
<b>Paragraph 1.6</b>		
Gary Woodman - Chamber of Commerce	Without the use of polytunnels, as crop protectors, soft fruit production would not be viable in the UK's Climate.	Agreed. Wording proposed for change.
Mr N J Cockburn - Grower	The main use, i.e. protection from the weather is not mentioned at all and should be rectified. There is no 'industrial scale' use of tunnels, this sort of language is emotive and should be changed to large scale.	Agreed. Wording proposed for change.
Graham Biggs - South Herefordshire Growers Group	Industrial is not a term to be associated with polytunnel farming, in fact to many it would be an insult. Please see NFU response.	Agreed. Wording proposed for change.
Donna Tavernor - CLA West Midlands	Soft fruit and vegetable production benefit from the use of polytunnels which create a micro-environment around the plants, allows for more manageable production taking out the vagaries of the weather, preventing mud-splash and the need to spray fungicides and other crop protection chemicals. It also means that harvesting continues uninterrupted throughout the season in reasonable working conditions.	Acknowledged. Wording proposed for change.
<b>Paragraph 1.7</b>		

Mr A Fraser - Marden Resident	<p>All cross references used refer to 2005, there must be other, more up to date information, and that should be used. It is all very well stating that polytunnels cover 2% of the cropping land but that gives a disproportionate impression to the overall effect, particularly if you live in Marden where the village is virtually surrounded by them. This statement should be removed. It would be more acceptable if you stated that the intention was to ensure that the use of polytunnels was not to the detriment of the local community whilst allowing farmers to grow crops under polytunnels.</p>	Acknowledged. Wherever available and possible more up to date data will be used.
Nick Evans - Uni of Worcs and CRC	<p>The SPD quotes figures referring to 2004 at the latest. These are dated. The Briefing Note Theme 1 paper from the workshop at the University of Worcester held in January 2008 contains figures derived from Defra's 2007 Survey of Agriculture and Horticulture and the 2006 Glasshouse Survey, demonstrating that more recent data are available. A copy is available on request.</p> <p>Reference to the area of crop production in the UK is not relevant given that this incorporates all arable land. This could be grossly misleading as soft fruit production constitutes a very minor percentage of cropland in England.</p>	Acknowledged. Latest figures are proposed.
		Agreed. Change proposed.
<b>Paragraph 1.8</b>		
Sarah Faulkner – NFU West Midlands Region & Matthew Price NFU Ross & Ledbury branches	This para implies that all growers are moving towards tabletop production and is therefore misleading.	Acknowledged. Wording proposed for change.
Mr N J Cockburn - Grower	There is very little movement towards Tabletop production, it is quite rare. Nutrients not pesticides are provided to the crop in the same way as soil grown plants.	Acknowledged. Wording proposed for change.
Aubrey Green - Arrow Valley Residents Association	Hereford Council need to assess the commercial health of companies proposing table top polytunnels with a ten year payback. Table top polytunnels should not be sited on agricultural land. They should be sited on brownfield sites. Limited reference of Tuesley Farm. Given this High Court judgement applied the generic tests in the three legal precedents highlighted this is a surprising omission.	Comments noted. However It is not felt appropriate to restrict table top growing from agricultural land and using brownfield sites only. Tuesley Farm is detailed at the beginning of the SPD.
Duncan McCallum - DPDS Region	This section is misleading and irrelevant. The need for planning permission does not arise from table top growing or other production methods. The paragraphs may be misunderstood to mean that need for planning permission arises or the SPD refers only to polytunnels where such methods are used and should be omitted.	Noted. This section only acknowledges the table top method of growing. Any development that relies upon farm scale polytunnels that meet the tests will require planning permission.

Frank Hemming - Resident	If "table top" methods are used, is this agriculture or industry? Why Herefordshire as there is no gain from using the soil? The substrates are all unsustainable over generations.	Noted.
Hayley Pankhurst - Natural England	Natural England welcomes the inclusion of a section on 'Table Top and Raised Bed Growing' (1.8-1.10). This growing method offers the potential to benefit water management; growing the crop off the ground allows the natural processes of infiltration to take place unaffected. This growing method could also reduce landscape and visual impacts. Table top growing requires less land and reduces the need for rotation, meaning that polytunnels can be located in the least sensitive areas both in the landscape as a whole, by de-coupling the need to locate polytunnels on the most suitable soils, and within an individual site.	Noted. Further information proposed.
<b>Paragraph 1.9</b>		
Virginia Morgan - Herefordshire Wye Valley AONB Association and Bob Widdowson - CPRE	A reference source is needed for the statement, 'at least 10 years production is needed to recoup the cost of installing the table top growing infrastructure.'	Noted. Sentence proposed for deletion.
Mr A Fraser - Marden Resident	I do not dispute the fact that table-top growing is an expensive investment and that farmers will require some years of successful production to recoup the costs. However, I do not believe it is advisable to quote a 10 year period in this SPD as applicants will ask for 10 years as a minimum rather than really looking at the minimum timescale required.	Noted. Sentence proposed for deletion.
<b>Paragraph 1.10</b>		
Virginia Morgan - Herefordshire Wye Valley AONB Association and Bob Widdowson - CPRE	The Council makes a good point that the plants are not 'soil dependent'. They could therefore be grown on urban brown field sites close to labour and distribution centres. The substrate used is probably peat-based. DEFRA and The National Trust for example both have strong policies to discourage the continued use of peat. The accompanying text was taken from DEFRA web site on 17 July 2008: <a href="http://www.defra.gov.uk/hort/peat/index.htm">www.defra.gov.uk/hort/peat/index.htm</a> - 'Peat is a major constituent of most horticultural growing'. Herefordshire Council should investigate further before approving table top production using peat-based substrates.	Noted. See also response above.  Noted. However the use of peat based concentrates is not a planning matter.
Mr A Fraser - Marden Resident	Although table-top growing on a given site may be for more than 3 or 4 years I see no reason to call it permanent; firstly because it conflicts with the previous paragraph and, secondly, because a defined number of years is not, by definition, permanent.	Agreed. Change proposed..

Nick Evans - Uni of Worcs and CRC	'dependant' should be 'dependent'. Also Para 4.33.	Correction.
<b>Paragraph 2.1</b>		
Duncan McCallum - DPDS Region	This section is extremely confusing and would leave many people with no idea whether planning permission is needed or not. The diagram does not help and there is no explanation of what the development rights consist of. There is no reason why reference should not be made to the relevant part of the GPDO and a link to a website is inadequate since document links frequently change. It is not complicated to explain what the PD rights are.	Acknowledged. Whilst the issue as to whether a development requires planning permission is complex it is agreed that this section is too complicated. Section 2 is proposed for change to simplify.
<b>Paragraph 2.3</b>		
B G Mann - Marden Resident	Metal bars put into soil are not permanence.	The degree of permanence is to be considered on a case by case basis.
Mike Price - GOWM	I also note that the SPD relates to policies within the adopted UDP.	Noted.
Nick Evans - Uni of Worcs and CRC	'size' should surely make some reference to the area covered.	The SPD refers to the farm scale forms of development as needing permission. No size limit is being applied. Each proposal will need to be considered on its merits.
<b>Paragraph 2.4</b>		
Mr A Fraser - Marden Resident	A polytunnel is 3-dimensional, as is the overall site. At no stage has any definition been attempted to define if all polytunnels, from those just 8 inches to 1 foot high up to 10 or 12 feet are all defined as polytunnels and fall within this SPD. Area is mentioned later in the document but there is no mention of height. At present it is understood that farmers consider that the low level tunnels are not implicated by this SPD. Clarification is required. My view is that all tunnels must be included. I also think that the reference to concrete is not wise as it provides yet another argument to avoid the regulations. Delete the reference to concrete.	Whilst change is proposed to clarify developments requiring planning permission, this SPD makes clear that it is intended to address the farm scale commercial polytunnels. It is these larger scale structures that cause concern. Further change to delete bracketed examples.
Donna Tavemor - CLA West Midlands	Concerns the issue as to whether polytunnels require planning permission. The CLA would like paragraph 2.4 to clarify the legal situation. It is the CLA stance that planning does not apply to all forms of polytunnels.	Changes are proposed to clarify where permission will be required. The legal requirements are set around the tests derived from case study. Not all forms of polytunnel requires permission.

<p><b>Paragraph 2.5</b> Virginia Morgan - Herefordshire Wye Valley AONB Association and Bob Widdowson - CPRE</p>	<p>Clarification by Mr. Justice Sullivan in Tuesley Farm Appeal case (15.12.06) that those polytunnels did constitute development.</p>	<p>Noted.</p>
<p>Donna Tavernor - CLA West Midlands</p>	<p>The Hall Hunter-Tuesley Farm case, which has in part led to the HCC draft SPD, was clearly only concerned with "Spanish" polytunnels and described by "one manufacturer as "large walk-in plastic tunnels" (para 22 Inspector's decision) i.e. 'commercial polytunnels'. In addition the inspector in the Tuesley Farm case set out at paragraph 45 that many councils consider that "portable polytunnels do not require planning permission". The inspector went on to list a number of items brought on to agricultural land which he states "clearly are not buildings". The list cited in paragraph 45 is as follows: "low tunnels", "French" tunnels, covers for cherries, pig arks, chicken houses, cloches, huts for agricultural uses, hop poles and polythene sheeting, nets and fleeces used for covering plants at ground level". Lastly, the Government recently published circular 04/08 entitled Planning-Related Fees in April and the relevant extract is set out below on page 8. The section highlighted in bold suggests that the Government recognize that not all polytunnels require planning permission.</p>	<p>Changes are proposed to clarify where permission will be required. The legal requirements are set around the tests derived from case study. Not all forms of polytunnel requires permission.</p>
<p><b>Paragraph 2.6</b></p>		
<p>Donna Tavernor - CLA West Midlands</p>	<p>CLA would like to see paragraph 2.6 setting out exactly which polytunnels involve development, and hence require planning permission, and which don't, so that a layman can understand the SPD so as not to lead to confusion.</p>	<p>Examples of polytunnels that do not require planning permission are proposed to be included in the re-written section. It is not possible to specify exactly which developments will require permission. This will be decided by the tests previously referred.</p>
<p><b>Paragraph 2.7</b></p>		
<p>Aubrey Green - Arrow Valley Residents Association</p>	<p>"Ideally planning applications for polytunnels should also include.....". This is a passive statement. AVRA holds this measure should be mandatory.</p>	<p>Acknowledged. The full extent of polytunnel development and associated requirements are encouraged to be considered early i.e. whole farm plans, so that the full extent of the proposal can be considered. This however cannot be made mandatory.</p>

	<p>"Comprehensive assessment" should also consider the transportation of the workers to the polytunnels, i.e., accommodation should be at the point of work not on a satellite &amp; hub system.</p> <p>Ideally should be "must". If workers accommodation can be justified by their need to serve the polytunnels, then the corollary is also true.</p>	<p>Noted. Whilst accommodation should be at or close to the point of work this SPD is primarily to deal with the polytunnels themselves.</p> <p>Noted.</p>
<b>Paragraph 2.8</b>		
Mr A Fraser - Marden Resident	<p>I agree with the implications of this paragraph, but to be consistent with section 5, I believe you should require that all polytunnels development requiring associated buildings and other services must be submitted together as per the Whole Farm concept identified in section 5.</p>	<p>Acknowledged. Whilst this cannot be mandatory, change is proposed to refer to the cumulative effect of development as a whole.</p>
Nick Evans - Uni of Worcs and CRC	<p>Flow Diagram - this is rather too general, lacking definition (e.g. what constitutes 'development') to offer practical guidance and should be removed or revised to incorporate more specific detail.</p>	<p>Flow diagram is proposed for deletion. See also proposed changes to this section.</p>
Hayley Pankhurst - Natural England	<p>To increase clarity for applicants this section should include a reference to the potential removal of permitted development rights within an AONB. This removal could be due to Article 4 Directives (from the GDPO) or to classification as Article 5 land (which all land within an AONB is). While Article 5 status does not remove the majority of Agricultural permitted development rights, it will be relevant to ancillary uses which may ordinarily be permitted development but may not be within an AONB.</p>	<p>Noted. This section is proposed for change to help simplify the requirements around planning permission. Addition of further detail as suggested would not assist this clarification.</p>
<b>Paragraph 2.9</b>		
Leintwardine Group Parish Council	<p>Accessory buildings should be of good quality and not detrimental to the surroundings</p>	<p>Noted and agreed.</p>
Aubrey Green - Arrow Valley Residents Association	<p>Storage should be specified particularly for hazardous materials with bunds where necessary rather than a catch all in utility buildings.</p>	<p>Noted. Storage facilities proposed to be included.</p>
Virginia Morgan - Herefordshire Wye Valley AONB Association and Bob Widdowson - CPRE	<p>Specific details must be part of any planning application where polytunnel use involves worker accommodation. Seasonal exceptions only apply where the caravans/mobile homes are totally removed between the seasons. 'Ideally' is too loose an expression. All the ancillary details should be specifically detailed in any large-scale polytunnel planning application.</p>	<p>Acknowledged. Change proposed.</p>

Duncan McCallum - DPDS Region	In most cases information will be required on the employee accommodation and facilities, irrigation works, etc to assess the impact in the same way as it is for traffic, flood risk etc and the Council would be acting negligently if it determined applications without this information. The paragraphs can be considerably stronger. If this level of guidance is to be given in a supplementary planning document, there should be reference to the likely need for environmental impact assessment of proposals in this section, (headed Planning Control) and guidance given on the circumstances where this is likely to be required.	Information to be submitted with any application is set out in Section 5. A full environmental impact assessment is not a requirement under the regulations.
Martin Field Clerk Bodenham Parish Council	Seasonal workers accommodation should be defined more clearly , e.g.caravans, dedicated buildings, portakabins, accommodation pods etc. Applications should contain details of the full extent of the proposed development as the "polytunnels first" approach does not allow a judgement to be made with full knowledge of the scale of the development from the outset. "Creeping" development has led to many of the past problems with this form of cultivation.	Acknowledged. Changes are proposed to gain an understanding of the full extent of development proposed.
Donna Tavernor - CLA West Midlands	Therefore in Paragraph 2.9 5th line planning applications for polytunnels – include 'if required' after polytunnels.	Noted but no change though necessary.
Hayley Pankhurst - Natural England	We also welcome the draft SPDs recommendation that associated development be included in the polytunnel application, and strongly recommend that this is the case. The inclusion of associated development in the application will allow for better consideration of total impacts and the incorporation of integrated solutions, such as water management which includes runoff from the site and sewage disposal. In addition, we suggest that the inclusion of associated development would fit with the 'whole farm' approach advocated by the council, and may reduce the costs and risks of achieving planning permission in the long run.	Noted. Changes are proposed.
<b>Paragraph 2.10</b>		
S & A Group - Grower	S&A Group disagree that the application for Polytunnels should come in advance of applications for associated developments, on the basis that this will provide insufficient certainty for the business. For this reason it would be more appropriate to submit concurrent planning applications that deals with all the different elements on each site.	The SPD is requesting that applications include associated development so that the full extent of the development can be considered.
Virginia Morgan - Herefordshire Wye Valley AONB Association and Bob Widdowson - CPRE	Agreed and 'various developments' should be specified as part of the planning process.	Acknowledged. Change proposed.

Mr A Fraser - Marden Resident	This paragraph conflicts with paragraph 2.9 and section 5. As written it implies acceptance on a drip feed basis, perhaps over many years, of additional requirements for a given farm. And that will result in an enormous operational complex out of all proportion to the local community. The farmer will continue to ask for additions to meet his requirements. I suggest that unless all the associated applications are submitted no future, associated applications will be accepted.	Acknowledged. Changes are proposed.
<b>Paragraph 2.11</b>		
Mr A Fraser - Marden Resident	As the preceding paragraphs refer to additional buildings it would be helpful if references to building design policy were included.	Noted. Any associated buildings will be required to be of good design and is guided by other Plan policies.
<b>Paragraph 2.12</b>		
Aubrey Green - Arrow Valley Residents Association	What does "unless material considerations indicate otherwise" mean?	This phrase indicates that normal planning policy will be applied unless there are other justifiable reasons/ instances which should override .
Virginia Morgan - Herefordshire Wye Valley AONB Association and Bob Widdowson - CPRE	'Material considerations' is a phrase often used by planners; it was usefully clarified in an addendum to the record of the Consultation Meeting held on 10.09/07 : ...there is no statutory definition of this phrase and its interpretation has been left to the Courts. As a guide any consideration that relates to the use and development of land is capable of being a planning consideration' (see App.4 - 2 of the Draft Polytunnels SPD Statement of Consultation accompanying this document)	Noted.
Duncan McCallum - DPDS Region	It would be helpful to applicants to note more specifically that policy not mentioned may also be relevant to any particular application. The principles of rural economic development and policy set out in Planning Policy Statement 7. Planning Policy Statement 7- Sustainable Development in Rural Areas was reviewed by Government in 2004. It firmly recognizes the important and varied roles of agriculture and its important place in the management and economy of rural areas. PPS7 espouses to a multi-functional, diverse rural economy with profitable land management at its centre should not be ignored. PPS7 made no changes to the issue of temporary structures used for agricultural purposes.	Acknowledged. Change proposed.
		Noted.



<p>Donna Tavernor - CLA West Midlands</p>	<p>The SPD makes reference to PPS7, but the document makes no mention at all to PPS1 Delivering Sustainable Development and the need for a balanced approach to be taken to sustainable development. Nor does it make reference to the PPS1 Supplement Planning and Climate Change and in particular to paragraph 25 regarding the accessibility of rural sites. National planning policy is there for a reason, and needs to be included in the SPD.</p>	<p>Acknowledged. Change proposed.</p>
	<p>The CLA view is that the policies and policy context within the document to be, generally, worded in a negative manner. Government has been at pains to ensure that national planning policy statements are worded in a positive statement in the hope that this "positive policy" message filters down to local policies. The PPS on Planning and Climate change and Draft PPS4 Planning for Sustainable Economic Development are worded in a positive manner. Draft PPS4 positively promotes economic development in rural areas. CLA would asks that the SPD is amended to produce a more positive attitude towards the use of polytunnels.</p>	<p>The issues identified in para. 2.13 summarise the policy requirements. There has been no attempt to word them in a negative fashion. Every attempt has been made throughout this SPD to maintain a justifiable and balanced interpretation of policy requirements.</p>
	<p>Herefordshire is predominately rural so it is important that agricultural and farm diversification are promoted. The Regional Spatial Strategy also states under policy PA15 that this included new innovative crops, on farm processing and local marketing.</p>	<p>Noted. Whilst the SPD acknowledges the need for farm diversification this policy objective needs to be included. Change proposed.</p>
<p>Hayley Pankhurst - Natural England</p>	<p>Polytunnels are perhaps unusual in that they directly link agricultural practices with the planning system. As the involvement of growers with the planning system, and indeed the involvement of the planning system in agricultural matters may otherwise be minimal there would be some value in recognising within the draft SPD the minimum standards to which growers should already be adhering. Whilst it is recognised that these matters are outside of the remit of the planning system, clarifying these regulatory standards would aid Development Control Officers unfamiliar with agricultural regulations and help to avoid having to negotiate a planning condition for matters dealt with under Defra regulations.</p>	<p>Agreed. Change proposed.</p>
<p><b>Paragraph 2.13</b></p>		
<p>B G Mann - Marden Resident</p>	<p>Flooding has increased in the village, outstanding beauty has gone.</p>	<p>Noted.</p>
<p>Pyons Group Parish Council</p>	<p>It would appear that with all policies listed under the Planning Policy Context that all contingencies are catered for – so long as all Polytunnels require planning permission. However it begs the question why these policies have been ignored in recent years.</p>	<p>Noted.</p>

<p>Virginia Morgan - Herefordshire Wye Valley AONB Association and Bob Widdowson - CPRE</p>	<p>Policy DR13 - The noise generated by the industrial scale and nature of the polytunnel developments is, dramatically underestimated by planners and councillors. 'Quiet enjoyment and tranquillity' are human rights but increasingly difficult to find in some rural areas. Herefordshire Council should be prepared to address the noise issue through this policy.</p> <p>Key UDP Policy S2 - The use of artificial nitrate fertilizer is not sustainable as it is dependent on diminishing supplies of natural gas through the Haber Bosch process. Its use also inhibits the activity of soil microbial associations and thus the uptake of minerals, necessitating the use of phosphate fertilizer. Phosphate is a diminishing resource. Nitrate and phosphate are both becoming increasingly expensive. Organic cultivation would appear to be an answer to this problem, but not if sources of fertility such as manure are themselves dependent on the use of these fertilizers.</p> <p>Key UDP Policy S4 - If the development is dependent on supermarkets this helps undermine the local economy by removing wealth from the county to shareholders.</p>	<p>Noise is an issue that is to be addressed. UDP policy DR13 and guideline 13 of the SPD make this clear. Noted.</p>
<p>Frank Hemming - Resident</p>	<p>Key UDP Policy S6 - Transport of goods to supermarket regional distribution centres and then to supermarkets involves more transport cost and pollution than local distribution. (Tim Lang and Jules Pretty) Also use of energy DR1 and DR4.</p>	<p>Noted. However the use of fertilisers other than in the context of pollution is not a planning matter.</p>
<p>Chris Lambert - The National Trust</p>	<p>We welcome the table summarising the UDP policies and are particularly pleased to note the references to protecting the settings of the historic parks and gardens and listed buildings. The settings of archaeological sites are protected in UDP Policies ARCH3 and ARCH4 but this is not mentioned in the draft SPD. Suggested change - Add reference to the settings elements of UDP policies ARCH3 and ARCH4.</p>	<p>Noted.</p>
<p>Mr A Fraser - Marden Resident</p>	<p>Suggest Key UDP Policy (KUP) S6 should be included under Supplementary Guideline (SG) 10. Suggest KUPs DR4 and DR6 are included under a new SG19a water resources. Believe KUP DR13 should be referred to SG13. Consider KUPs LA5 and LA6 should be included in SG4 and SG5.</p>	<p>UDP archaeological policies 1-6 are referred in the SPD table and also at para. 4.60. Whilst no further change is felt necessary to the table it should be noted that a change is proposed to include a further guideline on archaeology.</p>
		<p>Agreed. Changes proposed.</p>

<p>Hayley Pankhurst - Natural England</p>	<p>In order to receive their Single Farm Payment growers must meet Defra's Cross Compliance requirements for Good Agricultural and Environmental Conditions (GAECS) and Statutory Management Requirements (SMRs). Relevant GAECS are likely to be GAECS 1 'Soil Protection Review', GAECS 3 'Waterlogged soil', GAECS 8 'Public rights of way' GAECS 13 'Stone walls' GAECS 14 'Protection of hedgerows and watercourses' and GAECS 15 'Hedgerows'. Relevant Statutory Management Requirements (SMRs) are likely to be SMR 1 'wild birds', SMR 2 'groundwater', SMR 4 'Nitrate Vulnerable Zones' and SMR 5 'habitats and species'. Further information can be found at: <a href="http://www.defra.gov.uk/farm/singlepay/furtherinfo/crosscomply/index.htm">http://www.defra.gov.uk/farm/singlepay/furtherinfo/crosscomply/index.htm</a></p>	<p>Noted.</p>
<p><b>Paragraph 3.1</b></p>	<p>All of these points affect us.</p>	<p>Noted.</p>
<p>B G Mann - Marden Resident</p>	<p>Landscape &amp; Visual Amenity. Add long-distant visibility of polytunnels located on slopes or capable of being viewed from high ground as an issue.</p>	<p>Noted. Reference to long distance views proposed to be added.</p>
<p>Aubrey Green - Arrow Valley Residents Association</p>	<p>Residential Amenity. Add 'smell of fruit' as an issue. Add 'water run-off' as an issue. Add 'increase in rodents and vermin' as an issue as they eat left over / decaying soft fruit in the tunnels. An issue also not raised is the permanence of the proposed polytunnel development. Is it equitable a farmer erects polytunnels near a residence for ten years? In such circumstances the buffer zone should increase from 30 metres to 50 metres.</p>	<p>Noted. Changes are proposed to address pollution and general nuisance as set out in the UDP policy DR4. Water run-off is an issue already identified. Permanence and temporary permissions are addressed in Section 6. The guideline relating to distance from residential property should not be determined by time related permission.</p>
<p>Virginia Morgan - Herefordshire Wye Valley AONB Association and Bob Widdowson - CDBF</p>	<p>Water - A bund or ditch of reasonable capacity must be provided to prevent run-off onto roads, footpaths, other owners' land must be provided at the downhill edge of relevant fields. See also 4.53</p> <p>Economic needs must evaluate and QUANTIFY effect on impact on tourism.</p> <p>Landscape and Visual Impacts - The prominence of polytunnels in the areas listed within the landscape must be the critical consideration.</p> <p>Residential - The first sentence should be changed to 'Those living close to polytunnels will be adversely affected.' The Council should add 'spray drift' and 'reduction in property values' to their list of impacts.</p>	<p>Section 3 summaries the planning issues. It is not appropriate to include details of run-off prevention in this list.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted. Changes are proposed to include pollution and general nuisance as issues.</p>

<p>Archaeology - Surveillance and pre-emptive planning restrictions must be enforced when large-scale polytunnels developments, particularly with associated reservoir construction, roads and hard-standings, are planned.</p>	<p>Noted. These are possible requirements to be considered.</p>
<p>Residential: you should include the following adverse implications experienced in villages such as this e.g. urinating in public, illegal camping, stealing, prostitution, vibration felt in property due to the running of generators, litter as well as the few items you have identified. Transport: you need to add 13/14 century bridges, the ruining of local road surfaces, left hand drive articulated lorries without adequate rear view mirrors, farm owned buses running in convoy. There is nothing here on wildlife and that requires a brief addition, as it is very important.</p>	<p>Noted. Changes are proposed to include general nuisance. Effects on wildlife also proposals to be added.</p>
<p>The planning issues listed here are NOT in the same order as they appear subsequently in the document, nor to they have identical titles to those in the remainder of the document (E.g. 'Public Rights of Way' are listed here but are entitled 'Highway Issues' later on). Consistency is essential. 'Economic Needs and Impacts': there is no mention of fundamental aspects of the rural economy, such as those relating to the survival of family farm businesses or to established rural residents (such as issues relating to house prices). 'Landscape and Visual Impacts': clarification is needed that and AONB is a protected area. 'Residential Amenity': notwithstanding that this is a poor term and that one relating to 'quality of life' would be better, there seems to be no priority to the importance of the factors listed. For example, our research shows that noise is the number one concern of residents. The discussion from 4.38 should reflect the priorities assigned to them by residents. 'Archaeology': there is no indication that the 'impact' referred to is a negative rather than positive one.</p>	<p>Agreed. Changed to order proposed. In respect of the issues identified there are only brief summaries and do not go into any detail.</p>
<p>Landscape and Visual Impacts - The wording of this section should be altered to reflect that it is not just developments within AONBs that require important consideration, but also those that affect views into or from the AONB. This is particularly relevant to upland areas such as the Malvern Hills or river valleys such as the Wye Valley where views are likely to be far reaching.</p>	<p>Noted and wording changed.</p>
<p>Hayley Pankhurst - Natural England</p>	
<p><b>Paragraph 4.2</b></p>	

S A Group - Grower	The overriding principle is that considerable weight should be afforded to economic considerations, in the balancing of material planning issues, especially as against landscape impact. Nevertheless, we are concerned that there appears to be discord between the principle itself as stated in para 4.2 and the supporting text that follows. We believe that amendments need to be made to the supporting text so that it accurately reflects this principle.	Noted. The supporting text 4.3 - 4.11 identifies the benefits that may accrue from any one development. It is considered that this fairly assesses those benefits. No change is necessary.
Mr N J Cockburn - Grower	It is said in this para that economic benefits must be balanced against landscape impact, but guideline 2 states that priority will always be given to landscape in AONBs, this is a key contradiction which needs to be corrected in the document.	Whilst in general terms economic benefits need to be balanced against landscape impact in AONB's priority needs to be afforded to the landscape. This reflects UDP and national policy.
Nick Evans - Uni of Worcs and CRC	There are frequently more than 'two' key issues, particularly when social factors are taken into account.	Agreed. There are often more than the two key issues.
<b>Paragraph 4.3</b>		
Pyons Group Parish Council	Economic benefit is almost entirely to the farmer; there is little local spin off – no employment and financially the benefits disappear abroad.	There often are economic benefits to the local community. However these need to be assessed on a case by case basis.
S A Group - Grower	The S&A Group welcomes the recognition given in the SPD consultation document of the importance of the economic benefits of erecting polytunnels. Recent appeal decisions of the Planning Inspectorate have confirmed and identified the wide scope of such economic benefits.	Noted. Noted.
Sarah Faulkner – NFU West Midlands Region & Matthew Price NFU Ross & Ledbury branches	“Economic benefit” ought to be preceded by ‘enormous’ to properly describe how critical polytunnels are to soft fruit production. The soft fruit farms of Herefordshire would not be viable without the use of polytunnels in the UK climate. Their contribution to the local rural economy must be given full consideration when determining a planning application.	It is not felt necessary to assess the degree of any benefit. Noted.

<p>Mr N J Cockburn - Grower</p>	<p>The economic benefit to the wider local and national economy is without doubt and is not in dispute, the word potentially should be removed.</p>	<p>Noted. The word potentially makes clear the economic benefits that could be accrued to the wider community. It should not be removed as this would imply that every scheme would have automatic local economic benefits and this may not always be so.</p>
<p>Virginia Morgan - Herefordshire Wye Valley AONB Association and Bob Widdowson - CPRE</p>	<p>This section makes many assertions about economic benefits which are not qualified by research and appropriate date, for example, Clause 4.10 on seasonal workers, food miles and pesticide usage and 4.12 on the effect on tourism. These issues have been addressed at the relevant place but the Council's attention should be drawn to a more general point on economic arguments. There should be clear and robust evidence to justify any economic claims. Economic justifications rely heavily on predictive data for future prices. The agricultural and horticultural sectors are heavy users of oil and its by-products: plastics, pesticides. Recent evidence suggests major projects are being justified on an unrealistic future oil price. The well-respected Stockholm Environment Institute (SEI) is critical that a government consultation on the economic case for expanding Heathrow Airport 'forecasts that oil will cost \$53 a barrel in 2030.' The SEI says the government is 'strangely out of step with common predictions for oil prices', going against a futures market that predicts a price of \$140 a barrel in 2014 (July 23, 2008). Herefordshire Council should not only re-examine their future oil price predictions but also those of the growers in this highly energy-intensive polytunnel industry.</p>	<p>This section identifies the economic benefits that could be accrued. It is for each applicant to set out what the benefits may be from each proposed.</p>
<p>Donna Tavernor - CLA West Midlands</p>	<p>The importance of a thriving rural economy, which includes the use of polytunnels as a profitable production method, to maintaining areas of high landscape value including Areas of Outstanding Natural Beauty must be recognised and land managers should not have their businesses unfairly restricted because they farm in such locations.</p> <p>Over-regulation of polytunnels in designated areas is likely to put profitable and efficient producers out of business with consequential knock-on effects on the rural economy. Ultimately imports of soft fruit and vegetables could rise with associated problems of increasing food miles and increased CO2 emissions thus affecting the UK's GHG emission levels.</p>	<p>However, national and UDP policy places priority to the landscape.</p> <p>Noted. The SPD sets out the issues that may need to be considered on any one application. This confirms a balanced approach to be taken.</p>

	<p>Polytunnels are often sighted as being detrimental to other business in an area e.g. tourism however the CLA is unaware of any evidence that polytunnels in National Parks or Areas of Outstanding Natural Beauty have an impact on tourism levels and margins in these areas. We would ask that Herefordshire consider this point carefully as we believe that a stance against polytunnels purely based on unsubstantiated facts and figures is unfair to producers.</p> <p>The economic benefit referred to could be couched more specifically as a growing consumer market in the face of health campaigns, such as 'five-a-day'. This was consistently mentioned by growers in our research.</p> <p>Economic benefit - The 'Economic Need and Impact' section of 'Section 4: Detailed Assessment of Planning Issues' sets out economic benefit as a "fundamental argument in favour of polytunnels" (4.3). In establishing this argument the section presents evidence from PPS, the RSS and case law. This detailed establishment of policy context is less apparent in the corresponding sections on Landscape Impacts, Water and Biodiversity. It is important that the draft SPD does not unintentionally prejudice development control decisions through a difference in detail and tone from section to section.</p>	<p>Noted. The SPD makes clear that there is no current evidence of the effects of polytunnel developments upon tourism.</p>
Nick Evans - Uni of Worcs and CRC		Noted.
Hayley Pankhurst - Natural England		Noted. The economic case is clearly one which can be made to show the benefits of a development. The SPD also sets out the other issues where negative impacts can result and where they need to be assessed. The SPD has attempted to set out the possible negatives so that a balanced consideration can be taken to each proposal.
<b>Paragraph 4.4</b>		
Nick Evans - Uni of Worcs and CRC	<p>The statement that tourism in Herefordshire is inherited from pre-industrial times is highly questionable. Evidence is needed if this assertion is to remain in the document.</p>	<p>The statement refers to the economic base of Herefordshire and is not just stating that tourism in Herefordshire is inherited from pre-industrial times.</p>
<b>Paragraph 4.5</b>		
Nick Evans - Uni of Worcs and CRC	<p>'midlands' should be 'Midlands'.</p>	Correction.
<b>Paragraph 4.6</b>		

Nick Evans - Uni of Worcs and CRC	Mentions the 'rural economy', which ideally should be the heading for this section.	Agreed whilst much of this sub-section sets the context of the rural economy, the main purpose of this section is to assist applicants in setting out the various economic benefits that could accrue and that are supported by planning policy. No change.
<b>Paragraph 4.7</b>		
S A Group - Grower	Accordingly, the S&A group respectfully suggest that the SPD explicitly adopts and endorses the approach in Pennoxstone court et al, making it clear that the economic benefits associated with polytunnel use will be afforded considerable weight in decision process.	All of the information provided with a planning application will help judgement. Para 4.7 makes clear that the economic argument is of particular importance. The weight to be attached to any one proposal will be on their merits. It would be wrong to imply that in AONB's the economic case is afforded more weight than landscape designation.
Mr N J Cockburn - Grower	Where tunnels are sited in AONBs, it is only necessary under current planning law to show benefit generally, and not specifically to the local community, although such benefit does occur. This paragraph should be removed.	UDP Plan Policy LA1 (which reflects national policy) states that development in AONB's will only be permitted when it is small scale, does not adversely affect the intrinsic natural beauty of the landscape and is necessary to facilitate the economic and social well-being of the designated area and their communities. No change.
	The section on AONB landscapes would appear to make it impossible for any growers to use tunnels in an AONB. This is a direct contradiction to announcements made at an enforcement appeal where it was said that there could be tunnels in an AONB and that the present level of usage was acceptable.	The SPD states the UDP policies which refer to AONB's. It also mentions that small scale development can occur and that there will need to be a balance between economic and landscape issues.



Virginia Morgan - Herefordshire Wye Valley AONB Association and Bob Widdowson - CPRE	The Council's UDP policy LA1 requires far more than an economic argument for approval. It requires all its sub-clauses to be satisfied.	Agreed. The economic case is only one issue for consideration.
Mr A Fraser - Marden Resident	Whilst AONBs are important so are local communities. This paragraph should be changed to reflect the fact that clear evidence must be shown for any area in Hereford as all the countryside should be given the same level of consideration. I suggest a merging of paragraphs 4.7 and 4.8.	Agreed.
Hayley Pankhurst - Natural England	Economic Need and Impact - Paragraph 4.7 states that "the economic argument is of particular importance when polytunnel developments are proposed in AONBs". While there is a need to provide increased justification for polytunnels in AONBs, it should not be a matter of weighing up the economic advantages against the landscape protection afforded by the AONB designation. LPAs have a duty of care for AONBs under the Countryside and Rights of Way Act 2000, and this is not secondary to the requirement to promote economic growth (see also section 4.17). Unlike National Parks the requirement to provide economic activity is not a primary responsibility of AONBs. Only in cases of "exceptional national need" should the requirements to protect the landscape be secondary.	Within the Pennoxstone appeal, the Inspector stated that economic should be balanced by landscape.
<b>Paragraph 4.9</b>		
Aubrey Green - Arrow Valley Residents Association	This information has been supplied by the soft fruit industry and shows no sign of independent scrutiny. It should be edited by an independent assessor or removed.  UK agriculture is not in decline – world-wide demand for most products is increasing dramatically with the rise in living standards world-wide. Grain prices etc. have increased dramatically over past 24 months.  Bullet point 1 - The Council should be reminded that the phrase 'today's customers' refers not to shoppers but to the supermarket buyers who demand cosmetic perfection.	The SPD has referenced the source of the information provided in this sub-section. It is provided to give some factual background. It is not apparent that this information is inaccurate. In respect of commercial benefits it helps set out the information that applicants should consider providing.  Agreed. Change proposed.
		Noted.

<p>Virginia Morgan - Herefordshire Wye Valley AONB Association and Bob Widdowson - CPRE</p>	<p>Bullet points 3 &amp; 4 - UK polytunnels do not enable a 'continuous and reliable supply'. Late May to November is just about the longest season they can manage. Year round 'perpetual summertime' comes courtesy of Spain, North Africa, Israel and small amounts from USA. All these imports are arranged through supermarket 'category managers' who are often the large UK growers themselves. Far from being noble patriots, then, they encourage and promote imported fruit. For example, Berryworld (see www.berryworld.co.uk accessed 17 July 2008) states: '[it] accounts for approximately 20 per cent of soft fruit supplies to UK multiple retailers. The company currently represents growers covering more than 2,500 acres of soft fruit production in the UK and other countries in Europe, North and South America, the Middle East and South Africa. Global sourcing ensures year round supply, and enables us to offer the widest selection of berries and currants.'</p>	<p>Noted. Change proposed.</p>
<p>Duncan McCallum - DPDS Region</p>	<p>It is inappropriate in SPD to refer to lobbying bodies and their websites and as a result the whole section on economic benefits and landscape it unbalanced.</p>	<p>See above.</p>
<p>Frank Hemming - Resident</p>	<p>Demand for High Quality Produce. From personal experience I have yet to taste a supermarket and presumably polytunnel grown strawberry that tastes as good as a garden grown or truly locally grown strawberry.</p>	<p>Noted</p>
<p>Mr A Fraser - Marden Resident</p>	<p>This paragraph represents the grower's view of the need for polytunnels. Whilst I can appreciate the views of growers I believe that these statements should not form a part of the planning justification.</p>	<p>This paragraph provides examples of the commercial information a grower may consider providing to help inform of the economic benefits that could accrue.</p>
<p>Donna Tavernor - CLA West Midlands</p>	<p>CLA agree that the fundamental argument in favour of polytunnels is the economic benefit to the farmers and the wider rural economy and national economy.</p>	<p>Noted.</p>
<p>Nick Evans - Uni of Worcs and CRC</p>	<p>Is largely derived from a potentially highly biased source, so that a clear caveat should be issued to the reader that this is the case. For example, the statement about 'going out of business' in the second paragraph might realistically be an overstatement – going out of a specific soft fruit enterprise would seem to be more accurate. There is no mention of food miles here.</p>	<p>The factual information has been referenced and is provided as informative and as some background. Reference growers going out of business is proposed for deletion.</p>
<p>Hayley Pankhurst - Natural England</p>	<p>Read as a 'coaching manual' for applicants as to what to put into their planning application. This unbalances the document and seems inappropriate.</p>	<p>Noted.</p>
<p><b>Paragraph 4.10</b></p>		

Leintwardine Group Parish Council	<p>Migrant workers will strain local facilities such as schools, doctors and possible social security offices. This should be avoided otherwise any financial benefit to the community will be lost. Therefore, local jobs first especially the unemployed and then migrant workers.</p> <p>Health. Compare conditions in Spain where there is a high migrant workforce, the suicide rate is high, is this due to adverse working conditions or migrant loneliness?</p>	Noted.
Sarah Faulkner – NFU West Midlands Region & Matthew Price NFU Ross & Ledbury branches	<p>Reduction in food miles. Soft fruit continues to be imported therefore there is still scope to increase the soft fruit supply in the UK.</p>	Noted.
Aubrey Green - Arrow Valley Residents Association	<p>Impact on Local Services. (1) Local bus services are now over-crowded and the provider has made no attempt to increase seat numbers. If seasonal workers board at a stop before local residents, elderly community members often have to stand. (2) If workers are housed away from local communities on isolated farms, communities suffer few direct benefits. Seasonal workers shop in supermarkets where profits are repatriated out of the locality.</p>	Noted. The paragraph is proposed for change to be more general.
	<p>Reduction in Food Miles. Supplementary Guideline 1. Paragraph should be deleted unless evidence can be produced showing the environmental benefits flowing from the reduction in food imports is greater than the environmental negatives involved in importing seasonal workers, growing crops out of season in UK under plastic etc. AVRA hold no research has been conducted into the externalities in this area.</p>	This bullet point is proposed for change. It is necessary for some consideration to be given to whatever small contribution to reducing food miles. This needs to be considered against other environmental issues as raised.
	<p>'There may be economic benefits to the economy of the wider rural community'. On the other hand there may not. Consider the cost of repairs and maintenance to local roads and infrastructure by increased use of heavy lorries, the effects of severe water run-off on roads and water courses, the possible down-turn of tourism in polytunnel areas to say nothing of the largely unquantifiable effect of the developments on residents' physical and mental wellbeing. Have these disadvantages ever been properly researched and balanced against the also largely unresearched advantages to the communities who bear the brunt of the developments?</p>	Bullet points 1 and 2 as proposed for change set out in general terms the economic benefits of migrant workers and some negative impacts. There is no local research information and so these can only be general statements. The impacts on roads by heavy traffic etc and environmental issues are set out elsewhere.

<p>Evidence of local spend is not available and the points raised here are acknowledged. There will however be some local spend in local communities which is all the bullet point is saying. No change.</p>	<p>Bullet point 1 - There is only anecdotal evidence of how seasonal workers contribute to the local economy. The Government's £15m fund to mitigate the extra burden on public services due to migrants is described by the Commons communities and local government select committee as 'a drop in the ocean' (Guardian, p11 Wed July 16, 2008). Observation and experience indicate that the migrants' basic shopping is carried out at national supermarkets that recirculate a paltry amount of their takings locally, compared with local shops.</p> <p>Reduction in food miles - Substituting local fruit for imported fruit has had no effect on reducing overall trends in food transport which is upwards. The following statistics are quoted from a Defra report: 'The Validity of Food Miles as an Indicator of Sustainable Development', published July 2005. 'Food miles increased by 15% in the 10 years to 2002. The average distance we now drive to shop for food each year is 898 miles, compared with 747 miles a decade ago. Food transport accounts for 25% of all the miles driven by heavy goods vehicles on our roads. The use of HGVs to transport food has doubled since 1974. Transport of food by air has the highest CO2 emissions per ton and is the fastest growing mode.' The last 10 years has seen an enormous increase in the international transportation of fruit by air and road. This is mainly because we eat more fruit and more exotic fruit. The comments above, under Clause 4.9, bullet points 3 &amp; 4, are relevant with regard to the way the UK soft-fruit industry is also responsible for increasing imports. As for California, it has never been a big supplier of soft fruit to UK. In 2007, information was conveyed, by a major Herefordshire grower, to the effect that California's total strawberry export to UK was equivalent to about 50 acres of his Herefordshire production. As far as national economic benefits go, the same July 2005 DEFRA report also attempts to put a cost on the social and environmental impacts of food miles. Taking into account the time lost to traffic congestion, wear on the roads, ill health caused by air and noise pollution and accidents caused by food transport, its authors suggest the cost of food miles is £9bn a year to the UK. This is greater than the total contribution of the agricultural sector to GDP (£6.4bn) and half the total value of the food and drink manufacturing sector (£19.8bn).</p> <p>CPRE specific comment - I accept the contribution that seasonal workers may add to the economy but warn against reliance on this. There is evidence that this source of labour is drying up as the A8 countries develop their own economies. Local services therefore may themselves suffer if they become reliant on a temporary input.</p>
<p>See above.</p>	<p>Virginia Morgan - Herefordshire Wye Valley AONB Association and Bob Widdowson - CPRE</p>
<p>The contribution to the local economy is just one of the factors to be considered.</p>	

<p>Frank Hemming - Resident</p>	<p>Employment and the rural economy. If seasonal workers send money abroad how does this contribute to the local economy?</p> <p>Reduction in Food Miles. Fruit air freighted from California would soon become too expensive to be viable as costs of aviation fuel rise, even without the competition from fruit grown in the UK. In the end, whether soon, or "over generations" the present supermarket system of distribution will cease to be viable economically as transport fuel costs rise. It is already unsustainable.</p> <p>I believe the wider benefits are, sadly, misplaced. The majority of labour used is temporary foreign labour and, as a consequence, has little effect on the UK indigenous labour market. That is, except for the fact that if EU citizens have been employed and are subsequently refused further work they are entitled to remain in the UK and become a legitimate burden on the Local Authority and Government handouts. Although those working obviously spend some money in the UK the prime intention of the majority is to send the money back home for families or for support whilst undergoing university courses. If you insist on keeping the majority of this bullet point then you must change it to reflect this comment. The second bullet has confused temporary workers with those that have come for longer periods of time. It is not a moot point that foreigners are putting services under strain, why else would the hospital ask villagers about the numbers of overseas workers employed in the local area if it was not concerned about the numbers. Schools already have problems with multi ethnicity and additional foreigners exacerbate the situation. This statement must be amended to reflect the real world. The third bullet point concerning pesticide fails to reflect the practical situation. It is simply not true that fewer pesticides have to be purchased; the same pesticides are still in use. What may be true is that, with polytunnels, there is not the need for the same quantities of those pesticides. That is a very different situation from that given. There is still very real concern about chemicals leaching into the ground and back to the water sources as well as the potential for chemically induced soft fruit to have harmful effects on humans when the fruit is eaten. These views must be presented if this paper is to represent a fair statement of the situation. The fourth bullet point, the reduction in food miles; although Californian fruit might not be coming into the UK today there is no legal reason why it should not be imported if there were unforeseen growing problems in the UK. Fruit already comes in from the continent and these other sources permit the</p>	<p>Acknowledged. The degree of local spend is not known.</p> <p>See above.</p>
<p>Mr A Fraser - Marden Resident</p>	<p>Acknowledged. Change proposed.</p>	<p>Acknowledged. Change proposed.</p>

	growers to artificially extend their fruit production seasons by packaging the foreign imports (and increase profits) so it is disingenuous to make the statement about imports. Consequently that aspect should be deleted; it may be better to say that foreign imports are expected reduce and not feature one particular source.	
Nick Evans - Uni of Worcs and CRC	Overall, the points in this section are insufficiently nuanced. 'Employment and the Rural Economy': pickers can earn higher wages not only by virtue of a longer season, but by the picking of a higher proportion of class 1 fruit. 'Impact on local services': The statement that 'local inhabitants have objected' sounds as though it speaks for everyone. This is not the case. What does 'a moot point' mean? Further on, there is a point about local bus services, yet most producers run their own transport. 'Pesticide usage': the figure of a 50% reduction is one perpetuated in the popular media. Our research demonstrates that, from speaking to experts in the field, a 30% reduction is more accurate. Of course, and relating to information contained in Para 1.7, pesticide usage is far greater vis a vis arable production. 'Reduction in Food Miles': can it be categorically stated that 'imports have been eliminated' from California? To my knowledge, these continue in modest quantities at specific times.	Noted. See changes proposed.
Hayley Pankhurst - Natural England	It should be noted in 4(b) that AONB's are the primary landscape designation over an above local designations for Landscape.	Noted.
<b>Paragraph 4.11</b>		
Leintwardine Group Parish Council	There should be economic benefit for all not just farmers although they need all the help and support possible. Job creation is important in this deprived part of the UK. The range of food grown should be much greater than just soft fruit. With increasing food prices, this range is critical and many year round veg could be grown with very low food miles.	Noted. Noted. Noted.
Douglas Gardner - Marden Resident	The economic benefits mention in para 4.11 regarding the Inspectors comments at the kings Caple appeal decision, but it fails to mention that the Inspector decided that those benefits were outweighed by the serious harm caused by the polytunnels to the natural beauty of the AONB and should be amended to do so.	Paragraph 4.11 refers to the economic weight given by the Council and Inquiry Inspector at Pennoxstone Court. It does not however refer to the other issues that were also considered. It is therefore proposed for deletion.

<p>Virginia Morgan - Herefordshire Wye Valley AONB Association and Bob Widdowson - CPRE</p>	<p>The Inspector also said of the most sensitive areas in landscape terms: '.....Mitigation planting would not overcome the harm to the landscape. I consider that the polytunnels in those fields conflict with the protection accorded to AONBs in national policies and with UDP LA1. I conclude that those polytunnels cause serious harm to the natural beauty of the landscape and the countryside of the Wye Valley AONB and that this harm is not outweighed by the acknowledged benefits.' The Council's choice of the Pennoxstone Court Inquiry Inspector's words and this choice are both selective. Such selections should not be used out of context with their origins to form part of a policy document.</p>	<p>Sentence added to explain that landscape was also an issue.?</p>
<p>Hayley Pankhurst - Natural England</p>	<p>makes reference to the Kings Caple case in terms of the Inspectors comments on economic impact, but curiously does not mention the unmitigated landscape impacts which resulted in enforcement action being taken. As discussed in our previous comments, case law is not given the same weighting in the landscape, water or biodiversity sections of the SPD. This unbalances the document by implying a weighting in favour of the economic considerations.</p>	<p>Noted.</p>
<p><b>Paragraph 4.12</b></p>		
<p>Ross &amp; District Civic Society</p>	<p>The comment on the visual impacts of polytunnels should read that they "could well prove detrimental" (or "are likely to be detrimental") to tourism &amp; leisure interests.</p>	<p>Noted. Wording has changed to reflect the comments.</p>
<p>Pyons Group Parish Council</p>	<p>The fact that statistics are not available to prove the adverse impact of Polytunnels on tourism is no justification for ignoring the potential harm. If tourism is important and attracted by Herefordshire's countryside, it is obvious that swathes of tunnels, particularly in AONBs, must have a negative effect.</p>	<p>Noted. The paragraph indicates that polytunnels and their visual impact could prove detrimental to tourists and other leisure visits to Herefordshire's countryside. However little evidence is available.</p>
<p>Sarah Faulkner – NFU West Midlands Region &amp; Matthew Price NFU Ross &amp; Ledbury branches</p>	<p>The SPD should not lose sight of the fact that farmers and growers are responsible for managing landscapes that attract tourism and other leisure visits to the countryside. Unless these growers can sustain viable businesses this management role is compromised.</p>	<p>Noted.</p>
<p>Mr N J Cockburn - Grower</p>	<p>There is no evidence of any detriment to tourism from tunnels and any reference to such should be deleted.</p>	<p>Paragraph 4.12 should remain as a statement to recognise that there is currently little evidence that can be used for or against any proposal.</p>

<p>Virginia Morgan - Herefordshire Wye Valley AONB Association and Bob Widdowson - CPRE</p>	<p>The Council's comments are noted concerning lack of statistical evidence on the effects of polytunnels on tourism. Personal experience, in talking to tourist providers, is that the presence of polytunnels highly influences tourists' return visits and choices of trips. The Council should consider commissioning research into the effect of polytunnels on tourism particularly in and around the polytunnel hot spots. The Council should apply these comments to many of the assertions on issues of sustainability, food miles and general economic theory in Section 4.</p>	<p>Noted.</p>
<p>Mr A Fraser - Marden Resident</p>	<p>I believe you should include in this paragraph the statement that house sales have been blighted by the proliferation of polytunnels.</p>	<p>This is not an issue around tourism.</p>
<p>Martin Field Clerk Bodenham Parish Council</p>	<p>In the light of the critical importance of tourism to the Herefordshire economy research should be undertaken as a matter of urgency as planning applications cannot be properly assessed without this evidence.</p>	<p>Noted.</p>
<p>Nick Evans - Uni of Worcs and CRC</p>	<p>Refers to an unproven assertion rather than anything that can be ascertained through factual evidence. Repeated in Para 4.37.</p>	<p>Noted.</p>
<p><i>Supplementary Guideline 1</i></p>		
<p>Duncan McCallum - DPDS Region</p>	<p>In determining the weight that the Council will give to material considerations, this is a policy and an explanation of how Council policy will be applied. It should be in a LDD document, subject to independent scrutiny, not in SPD. It should be omitted.</p>	<p>This guideline makes clear that the economic benefits of a proposal should be afforded considerable weight. This does not need to reply upon an LDD document. Such a guideline follows current government advice for all proposals to be considered on others merits and reflects Inspectors views at appeal decisions. No change.</p>
<p>Mr A Fraser - Marden Resident</p>	<p>I suggest should be modified to require growers to show that they will reduce reliance on imported fruit.</p>	
<p><b>Paragraph 4.13</b></p>		



<p>Douglas Gardner - Marden Resident</p>	<p>To readdress the present imbalance in the draft SPD the section headed 'Landscape &amp; Visual Impacts' in sections 4.13 – 4.22 should be extended to include the following points raised by the Council's barrister, Mr Richard Kimblin, in his closing statement to the Kings Caple Inquiry, namely: "1 / Policy LA1 provides that developments in an AONB, in addition to not adversely affecting the intrinsic natural beauty of the landscape, must be of 'small scale'. It is not tenable to describe a built development of the size of a block of agricultural polytunnels over several hectares as 'small scale'. 2/ The Council has a duty of care to protect and enhance the landscape of the AONB and damage to such an interest is not excused by economic advantage. Where agriculture damages this landscape there can be no support for such development at all. 3/ Exceptions to Policy LA1 will only be permitted where the development is of greater national interest than the purpose of the AONB."</p> <p>Such development cannot comply with the requirements of Policy LA1, the suggestion that it is 'not feasible' to exclude such developments from AONBs should therefore be deleted from the SPD. It is not feasible to allow them.</p>	<p>These paragraphs which relate to an appeal decision are contained in the policy context and elsewhere. It is not necessary to repeat them here.</p>
<p>Aubrey Green - Arrow Valley Residents Association</p>	<p>"...the visual impact of polytunnels is invariably the most....". This is incorrect. Each case is individual. In some instances environmental, traffic or social issues may be primary.</p> <p>The CLA believes that it is important that growers demonstrate commitment to sound soil and water management principles. Often this can be achieved by temporary polytunnels being rotated around an agricultural holding in order to reduce the impacts on landscape, soil and water. However where polytunnels are temporary in nature it is difficult to undertake landscaping to reduce the visibility unless it is part of an overall plan of landscaping to include for increased hedge heights and sympathetic planting.</p> <p>Landscapes do need to be assessed as different landscapes have potential to tolerate polytunnels; also the landscape is evolving with modern agricultural practices. Growers should be encouraged into having a whole farm approach when planning polytunnels locations, so that the public can understand the rotation and know when the tunnels will move, as there are not permit structure.</p>	<p>Agreed. Change proposed.</p>
<p>Donna Tavernor - CLA West Midlands</p>	<p>Landscapes do need to be assessed as different landscapes have potential to tolerate polytunnels; also the landscape is evolving with modern agricultural practices. Growers should be encouraged into having a whole farm approach when planning polytunnels locations, so that the public can understand the rotation and know when the tunnels will move, as there are not permit structure.</p>	<p>This is why the Council encourage the whole team approach which is detailed in Section 6.</p>
		<p>Agreed. Hence the need for landscape assessments to be provided (5.7)</p>

<p>Hayley Pankhurst - Natural England</p>	<p>Landscape Impacts - The 'Landscape and Visual Impacts' section of 'Section 4: Detailed Assessment of Planning Issues' should be strengthened to give greater and more appropriate weight to landscape impacts, particularly in relation to Area of Outstanding Natural Beauty (AONB). Natural England recommend that a succinct summary of relevant national, regional and local policy and case law be included early on in the 'Landscape and Visual Impacts' section. Case law has established the value of Herefordshire's landscape as a whole, as has the adopted UDP and Landscape Character Assessment SPG. PPS7 confirms the special value of AONBs. While it is noted that this weight is given in the guidelines (Supplementary Guideline 2), setting out the policy context earlier in the section would establish a stronger tone from the outset. In addition, as the purpose of this draft SPD is to inform applicants and interested parties (1.1) an understanding of the planning policy context cannot be assumed.</p>	<p>Agreed change proposed to add sentence to para 4.17 to highlight the national policy stance of PPS7 to reflect these comments.</p>
<p><b>Paragraph 4.14</b></p>	<p>Correct grammar – 'to fully address'. Repeated para 5.7. Also 5.10 'to simply include'.</p>	<p>Correction.</p>
<p><b>Paragraph 4.16</b></p> <p>Aubrey Green - Arrow Valley Residents Association</p>	<p>More detail is needed so parties can assess whether a particular development will "overwhelm and destroy the inherent character of the landscape". What criteria will be used? Will they be qualitative and/or quantitative?</p>	<p>Most applications will require a landscape assessment (paras 5.7 - 5.9). Assessments will be guided by guidelines for landscape and visual impact assessment as set out in para 5.9.</p>
<p>Virginia Morgan - Herefordshire Wye Valley AONB Association and Bob Widdowson - CPRE</p>	<p>No large industrial-scale polytunnel site in Herefordshire, Gloucestershire, Surrey or Spanish Almeria can exist without undue harm being done to the landscape.</p>	<p>Noted.</p>
<p>Martin Field Clerk Bodenham Parish Council</p>	<p>Undue harm is too subjective a term and should be more closely defined for the guidance applicants and persons wishing to make representations.</p>	<p>Paragraph 5.9 refers to the Landscape Institute of Environment Management and Assessment as being the most definitive work providing guidelines to access landscape and visual effects.</p>
<p><b>Paragraph 4.17</b></p>		

Ross & District Civic Society	<p>These paragraphs need to be 'beefed up' to emphasise that the Council will adopt a robust line towards applications in AONB's. It should be made clear that it will be the exception rather than the rule to allow further expansion either by an existing grower or newcomer. It ought also to be made clear that this rigorous approach will be applied to polytunnels already erected, and in particular to any dating from, say, mid-2006 when the Tuesley farm case was pending. In 2007 the Pennoxstone Court inspector used expressions such as 'slight', 'moderately adverse', 'seriously detrimental' &amp; 'high adverse impact' when considering the visual effects. In our view, only in those few instances where the impact is 'slight' should approval be granted. The polytunnels south of the A48 between Ross &amp; Monmouth make a hugely adverse visual impact.</p>	<p>Agreed. Additional information is proposed to be included to confirm the special value of AONB's. See above. Comments to Inspectors Report are noted.</p>
Leintwardine Group Parish Council	<p>All rights of way and AONB's should be preserved.</p>	<p>Noted.</p>
Pyons Group Parish Council	<p>These paragraphs appear to have been ignored in the past.</p>	<p>Noted.</p>
Sarah Faulkner – NFU West Midlands Region & Matthew Price NFU Ross & Ledbury branches	<p>The section on Protective Landscapes and AONB does not adequately reflect the current planning situation within Herefordshire, as recent judgements have indicated that polytunnels may be acceptable within an AONB. The wording of supplementary guideline 2 presumes against development within AONBs and dismisses the economic justification for them, the wording ought to be more flexible and acknowledge that development in these areas can be acceptable.</p>	<p>Guideline 2 states that where development is being weighed against landscape impacts then priority will be given to landscape over other planning considerations when in an AONB. This guideline follows UDP and national policy. No change.</p>
Douglas Gardner - Marden Resident	<p>The 'Detailed Assessment of Planning Issues' is weighted in favour of the commercial interests due to the description of the perceived economic benefit of this type of development as the foremost issue. It suggests that the Council are promoting the economic argument, and are not realising that the polytunnel developments are inappropriate in AONBs.</p> <p>It goes on to suggest that small scale developments may be acceptable in AONB's which one assumes is the individual tunnels that might be used by a small nursery business, but the paragraph goes on to refer to farming businesses, how can it be suggested that any type of this development is small scale? Any existing developments within the AONBs should be relocated on suitable sites outside it.</p> <p>The wording in paragraph 4.17 should be amended to identify that AONBs are 'national' statutory protected landscapes.</p>	<p>Changes are proposed to set out the context of national and local planning policy (see above). Current UDP and national policy does not totally rule out polytunnels within an AONB. Guideline 2 confirms the policy position that in marginal cases priority needs to be afforded to the landscape. No further change necessary.</p>
Hayley Pankhurst - Natural England		<p>Noted and wording changed.</p>
<b>Paragraph 4.19</b>		
Pyons Group Parish Council	<p>These paragraphs appear to have been ignored in the past.</p>	

Virginia Morgan - Herefordshire Wye Valley AONB Association and Bob Widdowson - CPRE	The phrase, 'amongst other things', suggests a more tolerant attitude to development in AONBs than UDP policy LA1 recommends. LA1 also requires the development to be small-scale, i.e. less than 1 hectare (see clause 5.16). It is difficult to understand how a full interpretation of LA1 could sanction large-scale polytunnels.	The phrase refers to the other instances when development will be permitted. All are required to be satisfied not just one. A change is proposed to make this clear.
<b>Paragraph 4.20</b> Pyons Group Parish Council	These paragraphs appear to have been ignored in the past.	Noted.
<b>Paragraph 4.21</b> Virginia Morgan - Herefordshire Wye Valley AONB Association and Bob Widdowson - CPRE	The Wye Valley AONB Management Plan for the period 2004 - 2009 is the statutory Management Plan and as such must be adhered to in any planning decisions affecting this AONB. (see page 2, text by Ashley Thomas, Chairman of the Wye Valley AONB JAC) With reference to 'Section A: Protected Landscapes', Natural England recommend that the draft SPD be strengthened to provide greater clarity to applicants. It should be made clear that impacts on the AONB will be a material consideration, as per PPS7. Paragraph 4.21 must be corrected as AONB Management Plans are in fact a statutory document, required under section 89 of the Countryside and Rights of Way Act 2000.	Acknowledged. Changed proposed.
Hayley Pankhurst - Natural England		Agreed. Changes proposed.
<b>Paragraph 4.22</b> Mr N J Cockburn - Grower	This para suggests only small scale tunnel development will be allowed in the AONB. This is contrary to Council's publicly stated policy, it should be amended to better reflect the situation, i.e. that tunnels at their present levels are acceptable in AONBs.	Paragraph 4.22 is considered to follow UDP Policy LA1. No change.
Virginia Morgan - Herefordshire Wye Valley AONB Association and Bob Widdowson - CPRE	No reasons are given for the 'unfeasibility' of a blanket ban on industrial-scale polytunnels in AONBs. 'Small scale' appears to be under one hectare in total acreage; this should be clarified.	National and UDP policy refers to exceptions allowing development in AONB's. Following Government guidance each application needs to be decided on its merits. Small scale is not defined.

Chris Lambert - The National Trust	<p>Polytunnels create landscape impacts that are capable of affecting AONBs even where the development is outside the AONB. The Council should have regard to this in accordance with Section 85 of the CROW Act 2000. Suggested change: Add reference to regard being had to impact on the AONB from development outside.</p> <p>As previously stated we have concerns over the legal issues surrounding the use of polytunnels. CLA are concerned that this paragraph implies that all forms of polytunnels will require some form of permission the CLA does not believe this is an accurate interpretation.</p>	National or UDP policy makes any reference to development outside that may affect an AONB. Where such situations apply then consideration of the wider landscape impact would need to be considered in any landscape assessment.
Donna Tavernor - CLA West Midlands	<p>Reflects UDP Policy LA1 by stating "There may well be instances where small scale tunnel developments may be acceptable". However, the SPD provides an opportunity to define 'small scale' and site context for polytunnel applications, overcoming a potential weakness of LA1. It is recognised that previous developments may have set a precedent on size. Therefore it is Natural England's recommendation that greater emphasis be placed upon requiring site specific assessments of landscape sensitivity and resilience, as alluded towards in paragraph 4.20 of the draft SPD. The requirement for applicants to provide an assessment of impacts should be made explicit, and applicants should be referred to Section 5 of the SPD for further information. The need to consider cumulative impacts is currently presented under the 'landscapes with no statutory designations' section, but should instead apply to all landscapes, including the AONB.</p>	<p>It is not thought appropriate to define the size of what may be small scale. It is likely that this could vary between applications and would need to be considered in the context of the site, its location and characteristics. In respect of assessments changes are proposed to para 4.22 as recommended. The cumulative impact of polytunnels is addressed under Guideline 3 mainly on the assumption that only limited development will be allowed in AONB's and therefore the cumulative effect would not normally apply.</p>
Hayley Pankhurst - Natural England	<p>the wording implies a presumption that there will be polytunnel development within AONBs. Natural England recommend that this section be amended to state that each case will be decided on its merits, and the potential impact on the AONB will be considered along with the wider economic and social benefits.</p>	Noted and wording changed.
<p><i>Supplementary Guideline 2</i></p> <p>Douglas Gardner - Marden Resident</p>	<p>This should be amended to read: 'It is recognised that agricultural polytunnels are not an acceptable form of development in AONBs'.</p>	Acknowledged. A change is proposed to help make this clear.
Gary Woodman - Chamber of Commerce	<p>AONBs, this is written with the presumption against tunnels and the economy, whereas the Cockburn judgement, some polytunnel development may be acceptable within an AONB.</p>	Acknowledged. A change is proposed to make clear where development is acceptable.

Mr Peter Huyton - Resident	Object to the phrase 'in marginal cases'. This can be interpreted as only being applicable in marginal cases. It should be omitted so that, in accordance with planning policy LA1 and the AONB management plan, the guideline states that priority will be afforded to the landscape over all other planning considerations.	The guideline is proposed for change to help clarify when development is acceptable in line with UDP and national policy.
Duncan McCallum - DPDS Region	This is also a policy and should be omitted for the reasons given above. Furthermore it conflicts with the duties of the Council with regard to ASONB and with government guidance in PPG7. There must be exception circumstances to allow major development in ASONB. The guideline should be omitted.	See above.
James Waltham - Haygrove Ltd	This section implies that planning applications will not be granted for polytunnels within AONBs. Recent judgements have established that some developments are acceptable. We suggest that the wording of the SPD reflects a more balanced view. It is essential that each site is judged on its merits.	The guideline is proposed for change to help clarify when development is acceptable in line with UDP and national policy.
Chris Lambert - The National Trust	While paragraph 4.22 sets out a reasonable discussion of the circumstances in which small polytunnels might be considered appropriate in an AONB, this is not well reflected in Supplementary Guideline 2. The guideline as a whole could also be seen to be a watering down of the protection given to AONBs in national policy and in policy LA1 of the adopted UDP. Suggested change: Revise Guideline 2 to Priority will be afforded to protecting the natural beauty of AONBs. Small scale polytunnel development may be accepted if it meets the criteria of UDP policy LA1.	See above.
Graham Biggs - South Herefordshire Growers Group	When farming inside or outside the AONB, crop protection such as polytunnels are temporary devices used by the farmer. There is no long-lasting damage to the landscape and no evidence of detrimental impact on tourism. The significant benefit to employment and the support to other businesses within the AONB must be considered at least as important for those businesses and employees living and working in the AONB as in other parts of rural Herefordshire. There is much written by both the Chamber and the NFU. Please see both responses.	Noted.
Nick Evans - Uni of Worcs and CRC	The term 'marginal cases' is open to wide interpretation and requires explicit definition.	Guideline 2 is proposed to change. See above.
<b>Paragraph 4.23</b>		

Ross & District Civic Society	Similarly for areas outside the AONB, a robust approach must be adopted. It needs to be stated somewhere that if permission is granted, it will be for a finite number of years before the position is reviewed. That period might be, say, 5 years only, notwithstanding the argument that growers need a longer period of certainty.	Development within non-designated areas will be expected to conform with UDP policy LA2. Applications will be guided by landscape assessments against the Council's Landscape Character Assessment.
<b>Paragraph 4.24</b> Aubrey Green - Arrow Valley Residents Association	What is meant by "intensively"?	Land used at a high productivity of cultivation.
<b>Paragraph 4.25</b> Aubrey Green - Arrow Valley Residents Association	Whole farm approach should be mandatory.	The SPD encourages growers to consider all of their future requirements rather than piecemeal. However this cannot be mandatory.
Virginia Morgan - Herefordshire Wye Valley AONB Association and Bob Widdowson - CPRE	This clause suggests a greater level of protection for landscapes with no statutory designations than clause 4.22 affords for AONBs. The last sentence refers to 'new' planning proposals; what about existing developments, or retrospective applications?	A greater level of protection is afforded to AONB's and this is confirmed within the SPD. A change is proposed to delete 'new'.
Mr A Fraser - Marden Resident	Whilst agreeing with the sentiments presented there remains the problem where tunnels already erected have become significant yet no action has been taken to enforce their removal and reduce the eyesore to a level more in keeping with the local landscape. It follows therefore that a statement should be added stating that where an excess of polytunnels already exists planning action will be taken to reduce the acreage.	The Council has resolved to consider action in respect of retrospective application and existing developments that constitutes development. The SPD is to provide the guidance for planning applications.
<b>Paragraph 4.26</b> Dormington & Mordiford Parish Council	The parish council support the farming community in its need to diversify and maximise land use for productive and sustainable crops. However, we are concerned that large areas of the countryside is being marred by the high profile of polytunnels that dominate the landscape and detract from its natural beauty. We therefore welcome any initiative that reduces impact of such structures whilst allowing growers to make a successful living.	Noted.

Leintwardine Group Parish Council	To preserve heritage and environment along with animal welfare, headland and biodiversity no two adjacent fields should have polytunnels; to prevent cumulative impact.	The whole farm approach is encouraged to prevent adverse cumulative impact. Application for additional development would need to be considered on its merits using the SPD guidance. Planning conditions can be used to control development.
Mr Peter Huyton - Resident	While this refers to a whole farm approach to deciding on where polytunnels could be sited, it doesn't refer to any of the criteria that will be used in making a decision.	Each element of the development will need to be considered against the various guidelines of the SPD.
Aubrey Green - Arrow Valley Residents Association	"Whole farm" approach certainly needs detailing and defining. If a soft fruit company owns / runs six sites within a twenty mile area is this a single farm or six? Is a distinction made between owned and rented land? A limit on polytunnels in an area is necessary.	Para 4.26 is to encourage applicants to consider all of their future requirements. Normally this will relate to one farm holding but could be more. No distinction should be made between tenure. Each application will need to be considered on its merits.
Mr A Fraser - Marden Resident	The whole farm approach is in section 5 not 6, please correct. The intent of this paragraph is most laudable. However, there are two aspects not identified: a) If the farmer renting land applies for planning permission for polytunnels on that land it may be quite obvious he is attempting to extend the area of polytunnels without due regard to the environment. b) If the individual from whom the farmer rents the land applies for permission to erect polytunnels how is that aspect to be covered. I suggest both these points are identified and clarified.	Correction proposed. The SPD is to provide extra guidelines to polytunnel material. Matters of land ownerships are not subject to the SPD.
Nick Evans - Uni of Worcs and CRC	'year to year' rotation of polytunnels simply doesn't happen in practice.	Agreed. Change proposed.
Supplementary Guidelines 3 & 4		



<p>The SPD states that the local planning authority will seek to limit the total area of an agricultural holding or unit that may accommodate polytunnels, and specifically on whole farm applications, the area of land within certain landscape zones. It is our view that each application must be judged on its individual merits and therefore the basis of a restriction by total farming area, or zone, is extremely limiting. The suggestion of a percentage of land area approved for polytunnels is excessively simple as land is rented, and de-rented, at a greater frequency than new planning could possibly cope with. It is surely all about which fields are a problem and which are not. How much land a farmer happens to own or rent at a given time is an irrelevance to the appropriateness of a field receiving permission. At Haygrove we strive to lead the industry, and have some reputation for it, with example to other growers nationally of good practice in issues that are planning concerns (we have a lot of visitors and sell tunnels). These include more and more permanent mitigation</p>	<p>measures on planning issues such as: landscape impact, e.g. tunnel specific tree and hedgerow screening; a 5 year plan on such landscaping that will visually be an increasing statement; surface water drainage avoiding erosion using grassed ditches and drains under roads; water recycling from tunnels for irrigation (half the farm) saving the water table. These have been invested in for the long-term future of the farm, the broader environment, and example. They have been independently recognised for their effectiveness. They are economically impossible without tunnels being able to stay where they are, and in fields where they are not a problem this would seem sensible for everybody. We suggest the county's economy and views and drainage and water use and health and safety (moving tunnels is no small task) will be better served by the SPD being bolder in recognising these realities and actually encouraging more permanence on fields that are not a problem. Planners should be directed by the SPD to positively seek these fields rather than it encourage seeing all tunnels as an illness to be minimise</p>	<p>James Waltham - Haygrove Ltd</p>
<p>The purpose of the whole farm approach is to consider overall development instead of a piecemeal approach. This will help to set out for each holding where polytunnels may or may not be sited. This does not mean that all identified areas should be covered. This should help identify land more appropriate for development and ease the planning application process. The whole farm approach is to consider future needs and to address issues that may constrain them. Early involvement of officers/bodies on specific issues such as landscape, drainage etc will help prepare applications. This would also engage community discussion on such emergin proposals. A change is proposed to introduce the concept of whole farm plans early in the SPD to flag up this positive approach to guiding polytunnel development.</p>	<p>which is the SPD's present tone. Our county and nation demands the food from them and much more importantly the world desperately needs the simply vast air import substitution they provide! We suggest the SPD encourages the measuring of the relative weight and importance of these benefits more clearly, increases emphasis on the need to assess site by site, and avoids the over simplified broad spectrum limits presently proposed.</p>	<p>Supplementary Guideline 3</p>

Gary Woodman - Chamber of Commerce	Cumulative Impact, limits to coverage. Each farm and location are different. It should be recognised that a percentage basis should not be applied in all cases.	Acknowledged. Each application will be dealt with on their own merits.
Graham Biggs - South Herefordshire Growers Group	The limit of a total area of a holding that may accommodate tunnels is to infer that the officers have a method by which they will work to pre-determine the acceptable crop protection for a given farm. This is simply wrong. We are encouraging members to file whole farm applications, these including both single and multiple site farms. All farms are different, all applications will be different. If listed in the SPD this will limit the officers in the execution of their duty and could mean crop protection is used in sites less favourable on all other grounds except the percentage of farm area. Please see chamber response.	Limits applied to the total area of polytunnels will be considered on a need to prevent cumulative development. No method to predetermine acceptable crop protection is undertaken. See also above.
Donna Tavernor - CLA West Midlands	Cumulative Impact – limits to coverage. Each farm and location is different. The CLA accepts that a whole farm approach is the best method to consider an application, however it should be recognised that a percentage basis should not be applied in all cases. The local planning authority need to be very careful when setting limits as to the total area of an agricultural holding may accommodate polytunnels p 14. Some businesses may have a larger proportion of polytunnels to the land they own as their business is structured in towards the use of polytunnels. Any limit in all likelihood will lead to a number of efficient and profitable growers being put out of business with knock-on effects to the rural economy., but it will also lead to an increase in the importation of soft fruit and vegetables thus increasing food miles and will have a consequential impact on the UK's CO2 emissions and climate change.  In some cases screening or landscaping may make polytunnels acceptable in some areas. Experiments are taking place with non-reflective materials; this is still in the early stages of development and may affect the appearance of polytunnels in the future.	A percentage basis is not being applied. Restrictions will only be applied to safeguard any adverse impact that may be caused by cumulative development. Each application will be considered on its merits.
Nick Evans - Uni of Worcs and CRC	This is a non sequetour as it contains a statement that is in no way derived from any of the preceding discussion or evidence presented.	Noted.
Supplementary Guideline 4		The guideline is worded to reflect the concern of cumulative developments.

Gary Woodman - Chamber of Commerce	Highway safety, this statement implies that farmers 'will' have to demonstrate vehicle access and that the highway network is adequate, however, working with growers we are aware that if agreed with officers of the Council this 'may be required'. Also, often in the farm locations there is no alternative means of transport and therefore a change of wording would be more representative of each individual case.	It is reasonable to expect that growers can demonstrate acceptable access within their proposals. This will include demonstrating that the local highway network is capable of sustaining additional forms of traffic. This follows UDP policies S6 and DR3.
<b>Paragraph 4.27</b>		
Sarah Faulkner – NFU West Midlands Region & Matthew Price NFU Ross & Ledbury branches	Use of non-reflective materials. It needs to be acknowledged that technology is continually developing and it would be counterproductive if the SPD didn't allow growers to try new mitigation techniques.	Agreed. Changed proposed.
Mr Peter Huyton - Resident	Periods of coverage , and Supplementary Guideline 6. This should state that as well as polythene being removed during periods when crops do not need to be covered, the hoops should also be removed. Vast areas of shiny grey metal hoops are also an eyesore and, since much of the policy is one of trying to minimise visual intrusion, the policy should also cover this aspect. It might be inconvenient for the farmer to have to remove the hoops, but since they're likely to be uncovered for up to six months of a year, removing and putting up hoops just twice a year is not a great demand and will have real benefits to the visual amenity of areas.	It is generally accepted that it is the polythene covering that has the greatest visual impact. Given the financial implication of removing metal hoops it is arguable whether significant visual gain could be argued. This would arguably amount to almost total removal of the development. No change.
Mr A Fraser - Marden Resident	The idea that the farmer should identify all fields where he proposes to rotate polytunnels is attractive. However the problem comes in enforcing the agreement and consequently a much firmer enforcement control will have to be implemented. Is the council ready for that? I do not have a section 6, pre-application procedures. It must be made clear in this document that swift action will be taken where planning permission has been granted subject to an agreed programme of landscaping and that landscaping is not undertaken which will result in the planning permission being withdrawn.	Noted.
Nick Evans - Uni of Worcs and CRC	There is reference to the removal of plastic from metal hoops. In a strict interpretation, this could be problematic as, technically, rolled back plastic is stored within the hoops over winter.	Noted. See also above.

Hayley Pankhurst - Natural England	Section (c) 'Mitigation' provides some valuable guidance in terms of landscaping/screening and periods of coverage. However, there are additional means of mitigating landscape impact which are not presented in this section. For example, the size of polytunnel blocks could be limited to break-up the total mass of polythene and increase the effectiveness of screening. Supplementary Guideline 5 meets with approval, but the concept of excluding polytunnels from the most sensitive locations within a site would be simplified by some lead-up discussion.	Agreed. Para 4.27 is proposed for change.
<i>Supplementary Guideline 5</i>		
Sarah Faulkner – NFU West Midlands Region & Matthew Price NFU Ross & Ledbury branches	The wording is not clear and 'significant' is highly subjective, it implies that development would not be allowed in any case.	The guideline indicates that visual intrusion will need to be significant for proposals to be rejected.
Mr Peter Huyton - Resident	Is good and should not be changed.	Noted.
Virginia Morgan - Herefordshire Wye Valley AONB Association and Bob Widdowson - CPRE	This Guideline is commended particularly as it notes that, where mitigation is impossible, polytunnel development will not be allowed. It follows that, in areas such as the Wye Valley AONB, where the topography prohibits effective mitigation, such visual intrusions on the landscape will not be permitted.	Noted.
<i>Supplementary Guideline 6</i>		
Donna Tavernor - CLA West Midlands	Polythene removal - CLA accepts that polytunnels for soft fruit should not be covered with polythene during certain periods of each calendar year.	Noted.
<i>Supplementary Guideline 7</i>		
Donna Tavernor - CLA West Midlands	Careful consideration should be given to the affect that polytunnels have on the setting of listed buildings. In situations where polytunnels do not adversely affect the setting of the listed buildings then they should be allowed.	Noted.
<b>Paragraph 4.28</b>		
Aubrey Green - Arrow Valley Residents Association	Thorough analysis and well scoped Supplementary Guidelines. However no commentary on Scheduled Ancient Monuments. This is an oversight and paragraphs should be added. [e.g. Ivington hill fort near Brierley Court Farm]. Should a list of sites worthy of protection be drawn up?	Agreed. A new guideline is proposed under Archaeology which will include Scheduled Ancient Monuments.
<b>Paragraph 4.29</b>		

Chris Lambert - The National Trust	<p>We agree that in the majority of cases, polytunnels are wholly inappropriate in historic parks and gardens. However there are instances in which they might not only be acceptable but would also positively contribute to continuation of historic garden uses. To give two examples from National Trust properties outside Herefordshire, the walled kitchen garden at Hanbury Hall Worcestershire contains polytunnels that sustain continuation of the historic use of this area as a place for producing food, plants and cut flowers. The polytunnels cannot be seen over the walls so do not interfere with the pleasure grounds. At Powis Castle, the glasshouses and polytunnels of the nursery complex are essential to the sustainable provision of plants for the historic flower gardens. The nursery complex is a long-standing element in the layout of the historic park and is discretely hidden by tree and hedge screening.</p>	Noted. However the SPD addresses large scale polytunnels and the two examples given may not meet the criteria set out in the SPD.
<i>Supplementary Guideline 8</i>		
Mr N J Cockburn - Grower	Unregistered parks should not be given the same protection as registered parks; in many cases they no longer exist or are inaccurately recorded.	Noted. Within the UDP (LA4) unregistered parks of local importance are afforded similar but not the same protection as registered parks.
Chris Lambert - The National Trust	Polytunnel developments will not be permitted upon a registered historic park or garden except where they are consistent with the historic development of the park and garden and do not detract from the designed landscape or its historic significance. Developments will not be allowed that affect the settings of registered historic parks and gardens. The same approach will apply to unregistered parks and gardens identified by Herefordshire as having local importance.	Noted (see also above).
Virginia Morgan - Herefordshire Wye Valley AONB Association and Bob Widdowson - CPRE	Goodrich Castle is a nationally important, historic site; the outlook from this vantage point is marred by the existing spread of polytunnels in the Wye Valley AONB plain below.	Noted.
<b>Paragraph 4.30</b>		

Sarah Faulkner – NFU West Midlands Region & Matthew Price NFU Ross & Ledbury branches	As polytunnels are temporary structures used for agricultural production and the canal restoration project is a long term project we see no reason why polytunnels could not be sited within the safeguarded route.	Acknowledged. Whilst the canal is safeguarded under UDP policy RST9 it could be argued that polytunnel proposals are temporary structures that could be removed. Avoidance of the safeguarded route could be addressed through whole-farm plans. Para 4.30 and guideline are proposed for deletion.
Virginia Morgan - Herefordshire Wye Valley AONB Association and Bob Widdowson - CPRE	It's a great pity that a now defunct canal with costly development implications as a tourist attraction seems to have greater protection than an existing AONB that already attracts a national audience.	Agreed. Change proposed.
<b>Paragraph 4.31</b>		
Ivor Davies - Marden Resident	HGV movements; apart from consulting the Highway Authority the residents in the area should be consulted as well.	Section 5 encourages pre-application consultation to enable local debate before applications are submitted. Should this not take place as part of the planning process, the immediate neighbouring property and local parish council will be consulted.
B G Mann - Marden Resident	Large HGV's use the small lanes creating dangerous situations.	Noted.
Sarah Faulkner – NFU West Midlands Region & Matthew Price NFU Ross & Ledbury branches	The Council should acknowledge that farms and rural businesses are totally reliant on HGV and car transport as there is simply no alternative.	Noted.
Aubrey Green - Arrow Valley Residents Association	Working hours of HGVs need to be given more prominence in this section as the early working hours produce strong concerns from nearby residents.	It is considered that the issues and concerns on lorry movements is well stated in this paragraph. No change.
Mr A Fraser - Marden Resident	After "damage to highway surfaces" add "and 13th century bridges". Line 10: There will be an increase in the number of cars (not amount) please correct.	Wording has been changed to reflect these comments.
Nick Evans - Uni of Worcs and CRC	Extra traffic is generated where packing plants exist. They are more financially viable if fruit is imported for packing all year round. Vehicular movements are subsequently increased, but there is no recognition of this point.	Noted. However the general point within this para is that there is an increase in vehicular activity due to polytunnels. No further change is necessary.
<b>Paragraph 4.33</b>		

Leintwardine Group Parish Council	The increase in traffic and transport should be carefully monitored.	Noted. Transport assessments should help clarify additional traffic.
B G Mann - Marden Resident	New roads should be kept to a minimum. Poor access routes into villages often on dangerous bends.	Noted. Noted.
<i>Supplementary Guidance 10</i>		
Mr N J Cockburn - Grower	Growers should not have to prove that access is adequate for a pre existing use.	Polytunnel development that causes an increased or different traffic/use on an access of a pre-existing use will need to demonstrate that this access is suitable for the development proposed.
Aubrey Green - Arrow Valley Residents Association	Proposed this paragraph should be more robust and reflect the restrictions that are placed upon members of the local community who are unable to use certain local roads. We suggest it reads as follows: "Polytunnel developments will not be permitted unless the applicant can demonstrate that the vehicular means of access(es) and the local highway network (in terms of both design and capacity) are adequate to cater with the traffic generation, addressing both numbers and types and that local traffic, including pedestrians, cyclists and horse riders are not impeded in any manner or their safety put at risk."	The requirements set out within the guideline are considered to be similar to those suggested. This might need to be demonstrated in a transport assessment. Potentially it is only the large scale developments which will require the transport assessment.
Mr A Fraser - Marden Resident	Add "the applicant must also show how vehicles will be cleaned of mud and other debris before accessing the public roads".	Arrangements for vehicle cleaning on site is normally covered in a planning condition should this be necessary. Mud on roads is a highways offence.
Donna Tavernor - CLA West Midlands	Highway Safety - this statement implies that the grower 'will' need to demonstrate the vehicle access and highway network is adequate. However the traffic generated for soft fruit production is only seasonal. Often in the farm locations there is no alternative means of transport and therefore a change of wording would be more representative of each individual case. Polytunnels should not obstruct public rights of ways, the public right of way system was put in place so that people could get from A to B. The enjoyment of the views was not a consideration. Whist CLA acknowledges that PROW should not be blocks by polytunnels and associated farming operations, these operations should not cease in fields where there are PROW as this would be uneconomical for the local economy.	It is acknowledged that production is seasonal, however applications would still need to demonstrate that their proposals can be accommodated on highways/access grounds. Noted. Development proposals affecting PROW will need to satisfy UDP policy T6. Existing operations are assumed to respect PROW where the Highway Act provides specific protection.
<b>Paragraph 4.34</b>		

B G Mann - Marden Resident	Public rights of way in the area have been abused and destroyed by migrant workers	Noted.
Virginia Morgan - Herefordshire Wye Valley AONB Association and Bob Widdowson - CPRE	The importance of Rights of Way is correctly stressed. They are important in the enjoyment of the countryside by both residents and tourists. Where are the statistics for the latter?	Noted. There are no statistics currently available on the affects upon tourism.
Hayley Pankhurst - Natural England	Public Rights of Way - The guidance to consider distant views over polytunnels from PROW meets with approval. However, the elevated importance of National Trails should also be indicated here.	Noted.
<b>Paragraph 4.35</b>		
Mr N J Cockburn - Grower	This gives more protection to PROW than already exists under statute. Whilst tunnels shouldn't obstruct footpaths they neither should have to be any further away from footpaths than is required by law now.	It is important for rights of way to be protected and also short distant views.
<b>Paragraph 4.36</b>		
Aubrey Green - Arrow Valley Residents Association	PROW. Too limited a buffer. AVRA propose 10m & 15m respectively.	The guideline identifies minimum requirements. There may be other reasons to increase these distances. Each application will need to be determined on its merits, change proposed.
<i>Supplementary Guidance 11</i>		
Paul Seville - PROW	Should read: "There shall be no polytunnels erected within 2 metres of the centre line of a public right of way and no polytunnel sited within 3 metres of the centre line of a bridleway"	Agreed. Correction proposed.
Pyons Group Parish Council	Has been ignored in the Pyons Group area.	Noted.
Sarah Faulkner – NFU West Midlands Region & Matthew Price NFU Ross & Ledbury branches	As PROWs are protected under other legislation it is unclear what this guideline achieves.	The guideline requested the distance from the PROW that the polytunnel can be situated.
Duncan McCallum - DPDS Region	While this might protect the use of the footpath, it should also indicate that the impact on the leisure and recreational use of public footpaths and bridleways is a material consideration and in many instances, greater distances might be required or that planning permission may be refused.	The distances specified indicate the minimum distances. There may be other reasons to increase these distances. Each application will need to be determined on its merits. Change proposed.
Mr A Fraser - Marden Resident	For the sake of clarity change to read "...sited within 3 metres of the side of a bridleway."	Wording is proposed for change to ensure better clarity.



<b>Paragraph 4.37</b>			
Mr Peter Huyton - Resident	This is an important protection for the landscape of Herefordshire and should have the force of being a Supplementary Guideline.	Acknowledged. Change is proposed to guideline. This is also covered in guidelines.	
<b>Paragraph 4.39</b>			
Aubrey Green - Arrow Valley Residents Association	No specification of by whom and by what criteria polytunnels are defined as "redundant".	Redundant will be assumed to have taken place when not required for use.	
Charles Thwaites - Resident	In general, I felt the Residential Amenity section was very thorough, with most of the arguments being fully aired. However Paragraph 4.39 didn't get the section off to a particularly auspicious start. The box recording the supplementary guideline on redundancy of poly-tunnels is a non-sequitor to the discussion in the previous paragraph. I would have expected a somewhat more punchy guideline to follow such clear sentiments expressed in the first two sentences.	Agreed. Changed proposed to reorder this sub-section.	
<b>Supplementary Guidance 12</b>			
Gary Woodman - Chamber of Commerce	Redundancy of polytunnels, the Chamber accept that if the tunnels are redundant they should be removed, however this guideline suggests it is related to the crop, if a grower wishes to change crop it is implying that they will have to reapply for planning permission, this is neither practical nor cost effective.	Agreed. Change proposed to delete reference to the crop.	
Mr N J Cockburn - Grower	The word left out but underlined should be crops in order to negate the need to reapply for permission every time a crop changes. The six month period is totally inadequate. Para 4.39 refers to the particular problem of polytunnels in proximity to dwellings. It is bad enough that a family has to put up with polytunnels dominating their enjoyment of their property for a period of years. They should not have to wait another six months for redundant polytunnels to disappear, simply because the farmer isn't in a hurry to remove them. The six month period should be reduced to a maximum period of two months.	See above.	
Mr Peter Huyton - Resident			Within six months is felt a reasonable time from being classed redundant to removal. No change.

James Waltham - Haygrove Ltd	<p>We accept that the position that if polytunnels become redundant then they should be removed, i.e. not remain in situ without a crop being produced. However, the supplementary guideline suggests a restriction on the crop grown, in terms of planning condition. If the grower changes the crop within any one polytunnel from strawberries to raspberries, the current wording states that the polytunnel should be removed and that the grower should re-apply for planning permission. This is impractical. Crop rotation is an essential part of the responsible management of the soil and the wider agricultural environment. This is particularly relevant for a farm such as Haygrove which is one of very few organically approved soft fruit farms. The ability to respond to rapidly changing demands of the market (eg right now) will inevitably result in the need to change the cropping mix as fast, or Herefordshire farms will be made uncompetitive by planning requirements, such as what growers choose to grow, that are surely not planning issues. This supplementary guideline is not practical.</p>	Noted. See above proposed change.
Mr A Fraser - Marden Resident	<p>Believe 6 months is overlong. Change to read 2 months.  Redundancy of Poly tunnels. The CLA accept that if the tunnels are redundant they should be removed, however the suggested condition relates to a specific crop. However, if the grower decides to change the type of crop grown (strawberries to raspberries), this condition implies having to reapply for planning permission. This is not practical or cost effective.  Noise can be an issue at some sites with poly tunnels however it is already best practice to avoid noise nuisance. Applications should not be refused because of the intensification of use of existing vehicular access. Noise is covered by environmental health legislation.  The CLA accepts that best practice should lead to poly tunnels a minimum distance of 30m from of a boundary of a dwelling.</p>	See above.
Donna Tavernor - CLA West Midlands	<p>is it realistic to specify an individual crop?</p>	<p>Agreed. Reference to a specific crop is proposed for deletion.</p>
Nick Evans - Uni of Worcs and CRC	<p>Rain on a large area of poly tunnels causes a drumming effect which can be heard at a great distance. Recognition of this negative impact needs to be included.</p>	<p>Para 4.41 - noted. Noise is only one consideration of the development.</p>
<b>Paragraph 4.40</b>		Noted.
Aubrey Green - Arrow Valley Residents Association		The wording suggesting the individual crop has been deleted.
		Acknowledged. Changes proposed to para 4.40.

Virginia Morgan - Herefordshire Wye Valley AONB Association and Bob Widdowson - CPRE	There are many noise nuisances associated with the intensive scale of these operation. Here are a few more: tractor mounted irrigation pumps running all night, spraying machinery generating high noise levels for several hours each day early in the morning and late at night, rain on the tunnel covers, wind in the uncovered tunnel supporting framework, 2-stroke petrol engine driven augers used for tunnel erection.	Noted (see above).
Martin Field Clerk Bodenham Parish Council	This para. should include "persistent wind noise" as reported by Bodenham residents causing stress, loss of sleep and discomfort. Rain noise which is greatly amplified when falling on plastic sheeting also needs to be addressed.	Acknowledged. Changes proposed.
Nick Evans - Uni of Worcs and CRC	Refers to vehicular movements, yet these are not mentioned in the 'Residential Amenity' section.	Noise is a specific issue and is dealt with separately.
Charles Thwaites - Resident	To the causes of early morning noise needs to be added that of spraying, which often has to take place in the calm weather conditions that occur shortly after dawn. Slow moving sprayers create a high pitched whine that can affect local residents for a couple of hours at a most inconvenient time of day.	Noted see above.
<b>Paragraph 4.41</b>		
Mr Peter Huyton - Resident	These refer to all types of noise associated with polytunnels and yet Supplementary Guideline 13 refers only to noise associated with intensification of access or a new access. The Guideline on noise needs to be strengthened to include all types of noise nuisance from polytunnels.	Agreed. Changed proposed.
Mr A Fraser - Marden Resident	Noise is not just man made but is also due to rain and wind on polythene. Suggest these 2 aspects are included in paragraph 4.41 and SG113.	Agreed. Changed proposed.
<i>Supplementary Guidance 13</i>		
Sarah Faulkner – NFU West Midlands Region & Matthew Price NFU Ross & Ledbury branches	Some degree of noise is unavoidable and the SPD should distinguish between normal operational noise from farming activities and particular nuisances which are a matter for Environmental Health.	Acknowledged. Changes proposed.
Nick Evans - Uni of Worcs and CRC	Makes no mention of noise associated with the erection of polytunnels and with in-field depots (e.g. for straw).	Acknowledged. Changes proposed.
<b>Paragraph 4.43</b>		

Sarah Faulkner – NFU West Midlands Region & Matthew Price NFU Ross & Ledbury branches	In May 2006 the Agricultural Waste Regulations came into force, this means that farmers can no longer burn most plastics, however they can still legally burn untreated timber, wood, bark and crop residues but need an exemption from the Environment Agency in order to do so. This para needs to be amended to reflect this.	Acknowledged. Changes proposed.
Mr Peter Huyton - Resident	This refers to recycling of sheeting being a preferable option. There appears in this document a lack of awareness of various pollution regulations which cover farming and other industrial operations, and which should result in one or more Guideline. This appears to be major gap in this document.	Acknowledged. Changes proposed.
Aubrey Green - Arrow Valley Residents Association	Burning is not acceptable.	Agreed. Change proposed.
Virginia Morgan - Herefordshire Wye Valley AONB Association and Bob Widdowson - CPRE	'Local burning [...] is not a desirable option [...]'. No it isn't desirable. In fact it has been illegal since May 2006 to burn or bury waste plastics on farms (see www.agwasteplastics.org.uk accessed 25 July 2008). The Agricultural Waste Plastics Collection and Recovery Programme oversees this legislation. Herefordshire Council should insist on plastic sheeting being re-cycled at appropriate centres regardless of some growers' apparent reluctance to obey the law.	Acknowledged. Changes proposed.
Mr A Fraser - Marden Resident	Change the last sentence to read: "Local burning of plastic sheeting is not permitted, the disposal of plastic sheeting must be undertaken via an approved process.	Acknowledged. Changes proposed.
Martin Field Clerk Bodenham Parish Council	Disposal of plastic sheeting by burning should be prohibited in view of the unacceptable pollution and nuisance it causes. Disposal by recycling as part of a registered scheme should be mandatory.	Acknowledged. Changes proposed.
Nick Evans - Uni of Worcs and CRC	A statement is made about 'difficult' plastic disposal, yet a scheme exists for plastic recycling, facilitated by Haygrove in Ledbury.	Acknowledged. Changes proposed.
Charles Thwaites - Resident	I wonder if saying that local burning of plastic 'is not a desirable option' is too much of an understatement. Surely this practice is illegal?	Acknowledged. Changes proposed.
<b>Paragraph 4.44</b>		
Mr Peter Huyton - Resident	While it is good to see a recognition of the problem lighting can cause, this section needs to be strengthened so that lighting is kept to an absolute minimum We should be trying to reduce light pollution, not aid its increase.	Agreed, Changes proposed.
Nick Evans - Uni of Worcs and CRC	Section on 'Lighting': there appears to be undue emphasis on an issue that was not once mentioned by anyone in our research.	Noted.
Aubrey Green - Arrow Valley Residents Association	Lighting should not be used within 100 metres of residences.	Acknowledged. Changes are proposed to limit external lighting to that necessary.

<i>Supplementary Guidance 14</i>		
Duncan McCallum - DPDS Region	<p>The impact of lighting is capable of being, and likely to be, a material consideration in the decision to grant planning permission, and should generally be considered at that stage. This should be made clear in the SPD. We support the requirement to submit approval of lighting, but this should not be left to officers to determine but subject to public consultation and committee scrutiny.</p>	Noted.
<b>Paragraph 4.45</b>		
Mr & Mrs Horton - Resident	<p>The 50m gap from a dwelling is not sufficient when the polythene is fitted incorrectly or becomes loose. Can be very noisy in strong winds.</p> <p>The distance from our garden to the tunnels in not 30m, they abut our garden hedge and garden. This has caused health, noise and visual concerns.</p> <p>There will be an abuse of the "zone of tranquillity", as the tractors will use this area when spraying etc...</p> <p>The sprays are unhealthy for the local residents. The short tunnels act as funnels for noise, spray and fumes, which surround the homes.</p> <p>The early starts with noisy machinery is unreasonable to local residents</p> <p>The farmers are not paying any notice to the need for planning applications and are continuing without permission.</p>	<p>Noted. However this distance is seen to be reasonable in normal circumstances.</p> <p>Noted.</p> <p>Noted. Changes are proposed to allow other agricultural operations to take place.</p> <p>Noted.</p>
Ivor Davies - Marden Resident	<p>Polytunnels should not be erected within 50 metres of a dwelling. But 400 metres of a garden fence would be more sensible.</p>	Noted. However this is not considered to be a reasonable requirement.
Pyons Group Parish Council	<p>Proximity to Dwellings: 30m is inadequate as a minimum distance to the boundary of a residential curtilage. Each case should be treated on its merits – after a set minimum distance has been decided.</p> <p>We support the concept of buffer zones, however the request of 50m in the SPD is arbitrary and should be flexible to consider circumstances such as topography of the site and natural screening to allow lower thresholds.</p> <p>While it is reasonable to expect such buffer zones to be kept free of polytunnels and their related development, it should be possible for a range of other (less intensive) farming activities to take place in these zones without causing material harm to amenity of adjoining residents.</p>	Noted.
S & A Group - Grower		Changes proposed.  Acknowledged.

Aubrey Green - Arrow Valley Residents Association	<p>“...polytunnels should not be erected within a certain distance of dwellings (sic)..... Deviations from this general safeguarding distance may be permitted in certain circumstances”. AVRA holds the 50 metre buffer should be unequivocal. No development or associated activity should be permitted with 50 metres of any residential boundary. No deviations should ever be permitted. If deviations are thought possible, the circumstances should be detailed upfront.</p> <p>Para 4.45 - The Council should have more progressive views on this issue. The 30m distance from properties came from an NFU voluntary code of practice and 50m from properties from the HC code. In the neighbouring Forest of Dean, the Council has stipulated a distance of 50 m between residential property boundaries and polytunnels. This was an improvement on the Herefordshire code since it recognized that gardens were part of what you refer to as ‘the zone of tranquillity’. Where surface water run-off has been a problem, the zone should be substantially increased above the 50 metres and the area should be permanently grassed.</p> <p>To be consistent with SG15 the paragraph should be amended to read: “...dwelling houses, normally 50 metres or 30 metres from the dwelling’s adjacent boundary with the polytunnels whichever distance is the greater.”</p>	Changes are proposed to allow deviation only in exceptional circumstances.
Virginia Morgan - Herefordshire Wye Valley AONB Association and Bob Widdowson - CPRE		Noted. Changes are proposed to allow deviation only in exceptional circumstances.
Mr A Fraser - Marden Resident		Wording amended to reflect this. Comment will be decided on case by case basis.
<i>Supplementary Guideline 15</i>		
Aubrey Green - Arrow Valley Residents Association	This is a critical guideline and not one AVRA expects to be subject to dilution by polytunnel users [growers].	Noted.
Duncan McCallum - DPDS Region	This is worded as a planning policy (see comments above). Each application would need to be treated on its merits and the wording amended to reflect that it is unlikely that the Council would approve applications within these distances, but equally there will be cases where greater distance is required to protect residential amenity.	Changes are proposed to para 4.45.
<b>Paragraph 4.46</b>		
Graham Biggs - South Herefordshire Growers Group	These are crops being grown with protection as part of normal farming practice. We believe it is totally impractical to operate buffer zones as currently described. Our members need to use these areas to access the fields, to maintain hedges, borders and ditches. Further, it should be permitted to plant these areas with crops not afforded crop protection. We would support the keeping of these areas clear from stored equipment and toilets but in all other ways should be used for normal farming practices. Please see Chamber response.	Acknowledged. Changes proposed.

<p><i>Supplementary Guideline 15/16</i></p> <p>Mr N J Cockburn - Grower</p>	<p>Buffer zones are acceptable but the expression 'zone of tranquillity' will raise unrealistic expectations and should be deleted. In some circumstances and in agreement with the residents, it may be appropriate to site tunnels closer than 50m from houses and this guideline should be amended accordingly. Growers operate farming not tunnel businesses and this term also needs changing.</p>	<p>Agreed. Changes proposed. 'Zone of tranquillity' term deleted and the term 'buffer zone' used.</p>
<p><i>Supplementary Guideline 16</i></p> <p>Sarah Faulkner – NFU West Midlands Region &amp; Matthew Price NFU Ross &amp; Ledbury branches</p>	<p>The term 'zone of tranquillity' will be better described as 'buffer zones'. Normal agricultural operations must be allowed to continue in this zone such as hedge trimming &amp; topping of grass margins. This guideline must make this clear, as many essential agricultural activities will be connected with the operation of a 'tunnel business'. We would also query the use of the term 'tunnel business'; these are normal agricultural businesses and farms.</p>	<p>Agreed. See above.</p>
<p>Gary Woodman - Chamber of Commerce</p>	<p>The Chamber is extremely concerned with this suggested policy as this could make operating an agricultural business impractical. The Chamber suggest that non-tunnelled crops are allowed to be planted in these zones, that vehicular activity and general environmental management can also occur. The Chamber can accept that no facilities or storage should be placed in this zone.</p>	<p>Agreed.</p>
<p>James Waltham - Haygrove Ltd</p>	<p>The area of land between a polytunnel and a residential amenity, referred to in the SPD as a "zone of tranquillity", is often used for important agricultural operations, e.g. hedge trimming. Additionally, in most cases this area is also valuable agricultural land, which could be used for non-polytunnel cropping. To establish these areas as "non-work" zones is not economically viable.</p>	<p>Agreed.</p>
	<p>In terms of Supplementary Guidelines 16 – Zones of tranquillity, the CLA is extremely concerned by the suggested policy, as this could make operating an agricultural business impractical. If the policy does not allow the use of these areas of the field for agricultural practice this is clearly unreasonable, as if the field had a non tunnel crop within then the farmer would still need to access the field around the edge. The CLA would therefore suggest a practical way forward, within these zones crops should be allowed to be planted, but not under tunnels, vehicle access and movement should be allowed in order to manage the crop, and that growers minimise the use of the area for use associated with the polytunnels.</p>	<p>Agreed. This guideline related to polytunnels and associated development. It is not intended to restrict other agricultural business. A change is proposed to para 4.46 to make this clear.</p>

Donna Tavernor - CLA West Midlands	<p>The CLA strongly advises that for efficient use of resource that good soil and water management is undertaken by growers to demonstrate. It is generally the case that temporary polytunnels are rotated around an agricultural holding in order to reduce the impacts on landscape, soil and water. CLA believes that careful consideration needs to be given to the use of polytunnels in areas of flood risk.</p> <p>Winter storage reservoirs mean that abstraction of water over the winter months could be used in addition to rainfall to fill these storage facilities for summer irrigation. CLA believe the wider use of reservoirs should be strongly promoted in view of climate change.</p> <p>Following the cessation of polytunnels the land should be reinstated to its previous us for example arable field. Polytunnels are normally used as part of a cropping rotation on farms. Chemical usage in polytunnels is less than if the soft fruit was grown without cover.</p>	SG18 Noted.
		Agreed. Change proposed.
		Agreed. Noted.
<b>Paragraph 4.47</b>		
<i>Supplementary Guideline 17</i>		
Sarah Faulkner – NFU West Midlands Region & Matthew Price NFU Ross & Ledbury branches	<p>We question why a flood risk assessment is automatic for all developments over 1 hectare without any reference to the site or the particular flood risk measures in any proposal.</p> <p>In granting planning permission for polytunnels, the Authority is granting planning permission for a structure for which information on the scale, mass, height and external appearance, including materials is defined. If the structure is not built to the plans permitted it should be subject to enforcement and it is not open to the owner to change these details without a new planning consent. This needs to be made clear within the SPD.</p>	Noted. Implementation of any permitted proposal will be expected to be in accordance with plans and conditions.
Duncan McCallum - DPDS Region		
<b>Paragraph 4.48</b>		
B G Mann - Marden Resident	<p>Flooding is very bad now.</p> <p>Good Farming Practice is a requirement for all agricultural businesses and requires prevention of soil erosion, control of runoff etc. See the websites of Defra and Natural England for details.</p>	Noted.
Mr Peter Huyton - Resident		Noted.
<b>Paragraph 4.53</b>		



<p>Andrew Ross - River Lugg Internal Drainage Board</p>	<p>The River Lugg Internal Drainage Board supports in principle the utilisation of Polytunnels as it recognises the economic and commercial benefits that can be realised for the local community. However, RLIDB does have some concerns over the widespread use of polytunnels which clearly has huge implications for surface water management, flood risk and biodiversity, it is the opinion of the RLIDB that the severity of these implications could be dramatically reduced by the implementation of practical, common sense measures that could be implemented through the planning process. These measures are: Providing surface water attenuation may consist of storage tanks or lagoons. This attenuation should provide live storage for 1:100 year rainfall event in the locality with a 20% allowance for the effects of climate change. Indicative figures are in the range of 500 to 750 cubic metres of live storage per hectare of impermeable area. Rates vary depending on soil types, usage, locality etc...</p>	<p>Agreed. Changes proposed.</p>
<p>Justin Burnett (on behalf of Mark Davies) - Environment Agency West Area Planning</p>	<p>Discharging from surface water attenuation at Greenfield discharge rate. In Herefordshire this rate is approx 3.0 litres per second per hectare. Rates vary depending on soil types, usage, locality etc...</p> <p>Discharging into existing drainage ditches or constructing them where they do not exist so there is a logical flow into the greater river system</p> <p>Constructing drainage channels/tile drains/French drains etc as necessary so that surface water runoff from Polyunnel development is captured effectively and directed into attenuation lagoons.</p> <p>Management of Nutrient enriched water: We would advise that irrigation water with nutrient or other chemicals added, for example as part of a table top system must be carefully contained and re-circulated.</p> <p>Run off from horticultural sites with large areas of impermeable surface or areas regularly trafficked can cause erosion of soils. Silt laden water discharging to a watercourse for example can cause detriment to habitat and carries nutrient including phosphate which can cause eutrophication. Rapid runoff from agricultural areas can also remove nutrients, herbicides and pesticides resulting in the pollution of watercourses. The risk of pollution can be minimised by careful siting of structures and management of drainage and irrigation water to minimise soil erosion and nitrification of waters.</p> <p>We would advise that Applicants should carefully consider the location of polytunnels and the proximity of all watercourses/water features and incorporate appropriate pollution prevention and attenuation measures.</p>	<p>Noted.</p>
<p></p>	<p></p>	<p>Agreed. Change proposed.</p>
<p></p>	<p></p>	<p>Agreed. Change proposed.</p>
<p></p>	<p></p>	<p>Noted.</p>
<p></p>	<p></p>	<p>Acknowledged. Changes proposed.</p>
<p></p>	<p></p>	<p>Agreed. Changes proposed.</p>

	<p>We would also recommend that the following be incorporated at the end of Supplementary Guidance Box 19: "... designed to prevent run-off erosion issues and pollution of the water environment".</p> <p>This will allow the LPA to seek information of existing or proposed mitigation measures to attenuate runoff and prevent soil erosion and pollution of the water environment, in relation to the location of structures, tracks, covered areas and cultivated areas which may involve a survey of water features including existing drains streams, ponds, canals etc.</p> <p>Putting in a structure to clean the water before it reaches the canal - basically this should be a standard requirement below poly tunnels wherever there is a road, house or watercourse or any other sensitive area and should be put into the psd for polytunnels. This will speed up a move to table tops which are less environmentally damaging as long as they are allowed permanent sites where they can put in the infrastructure for water management and landscaping making them move them around discourages them from putting in the capital intensive infra structure and so is more damaging with regard to water quality and landscape.</p>	Agreed.
Sarah Olney - Natural England	<p>Growers will not invest in expensive water capture mitigation without permanent planning permission for polytunnels.</p> <p>Section (b) 'Surface Water Drainage' of the 'Water' section of 'Section 4: Detailed Assessment of Planning Issues' indicates that water management would be considered favourable. Natural England supports a requirement for active water management, but this must be based upon evidence and must not damage ecological assets. Paragraph 4.53 states that "Careful active management of surface water run-off can often be highly beneficial, including the use of drains and gulleys that allow water to be diverted into watercourses". Whilst the advantages of active water management are clear, this is about preventing harm rather than bringing actual benefit. This should be clarified. The guidance given in favour of directing run-off into watercourses raises concerns and does not constitute good practice. Run-off from polytunnels and their surroundings may be enriched with nutrients and/or sediment. Channelling this directly into watercourses could therefore contribute towards diffuse pollution. We recommend instead that the draft SPD promotes the use</p>	Noted.
Nick Evans - Uni of Worcs and CRC		Noted.
Hayley Pankhurst - Natural England		Agreed. Changes proposed.

	of sustainable drainage systems (SuDS) designed to slow the flow of water and filter out nutrients and sediment before it enters watercourses. We would support appropriate water recycling mechanisms which make the most efficient use of irrigation water and rainfall as a part of this. In all instances consideration must be given to 'pathways'; that is the route of water from its on-site source into its receiving watercourse. SuDS should be designed to minimise potential impacts upon highways, houses and ecological assets along this pathway.	
<b>Paragraph 4.54</b>		
Leintwardine Group Parish Council	Are water resources adequate?	Water is a valuable resource, its availability and quality needs protection.
Sarah Faulkner – NFU West Midlands Region & Matthew Price NFU Ross & Ledbury branches	This should also include a reference to the use of farm storage reservoirs, these are an extremely valuable tool which will help to respond to the impacts of climate change by storing winter rainfall for use during the summers.	Noted. Changes proposed.
<b>Paragraph 4.56</b>		
Rob Ireson - Environment Agency	To include the following paragraph: "The Environment Agency would seek consideration of an 'environmental report' detailing information on the proposed location of structure, covered areas and cultivated areas including a survey of water features including streams, ponds, canals etc... This should also include details of mitigation measures to be put in place to prevent soil erosion and pollution of the water environment. It is all very well referring to polytunnel developments but existing polytunnel installations should be required to justify their abstraction when changing the area watered from the river or bore hole(s), whether or not trickle feed is utilised. This change to be included in the paragraph.	Agreed. Change proposed.
Mr A Fraser - Marden Resident		Noted. Abstraction licences for existing developments will be matters for the Environment Agency to consider.

<p>Hayley Pankhurst - Natural England</p>	<p>The issues around low flow and over abstraction highlighted in section (c) 'Water Resources' are welcomed. This section could be linked with the previous section on 'Surface Water Drainage' and used as evidence to support water recycling. Paragraph 4.56 states that the EA seeks detailed information on proposed water use and management, and then goes on to discuss Sites of Special Scientific Interest (SSSIs) and Special Areas of Conservation (SACs). It should be noted that Natural England is the competent authority regarding these National and European level designated sites. Therefore we must be consulted on all applications potentially impacting on SSSIs and SACs, as well as Special Protection Areas (SPAs) and Ramsar sites. In such instances we would require evidence that the proposal would not have a detrimental effect upon the designated site, and would place a high emphasis upon water management using SuDS. In the case of SAC/SPA/Ramsar sites it is worth noting that it may also be necessary for an application to include a Habitat Regulations Assessment in line with the EC Habitats Directive 1992.</p>	<p>Agreed. Changes proposed.</p>
<p><b>Paragraph 4.57</b></p>	<p>Virginia Morgan - Herefordshire Wye Valley AONB Association and Bob Widdowson - CPRE</p>	<p>Noted.</p>
<p>Mr A Fraser - Marden Resident</p>	<p>This clause defines 'significant scale' as sites (of polytunnel development) of more than 1 hectare (2.47 acres).</p>	<p>Noted. Paras 4.54-4.57 make clear the need to protect the availability and quality of water resources. No further change is considered necessary.</p>
<p>Nick Evans - Uni of Worcs and CRC</p>	<p>Consider that you need to include the protection of boreholes (particularly those not belonging to the applicant) from drying up due to abstraction. Perhaps that requirement could be included in my proposed SG19a.</p>	<p>Noted.</p>
<p><b>Paragraph 4.58</b></p>	<p>the trend towards table top growing delivers far greater water efficiency.</p>	<p>Noted.</p>
<p>Mr Anthony Snell - Grower</p>	<p>Ecology surveys – soil-based temporary polytunnels being part of a farm rotation should NOT require surveys/reports at the same detail as those required by normal building works.</p>	<p>This will be decided on case by case basis and discussed with the ecologists.</p>
<p>Mr Peter Huyton - Resident</p>	<p>There should be reference to the need for compliance with the Wildlife and Countryside Act and other legislation dealing with the protection of species and habitats. See the websites of Defra and Natural England for details.</p>	<p>Further details have been incorporated to section 5 and further information for Biodiversity.</p>

Virginia Morgan - Herefordshire Wye Valley AONB Association and Bob Widdowson - CPRE	This paragraph is Commended. Although the effects on the biodiversity are said to be 'not always apparent', this could be through many factors; the sterilisation and compaction of the soil must have a significant effect on the health of the relevant biodiversity. Local farmers have commented that crops grown on land rented out for previous intensive strawberry growing, under polytunnels, are not as productive as formerly.	Noted.
Hayley Pankhurst - Natural England	While the 'Biodiversity' section in 'Section 4: Detailed Assessment of Planning Issues' is broadly correct the level of detail provided is considerably lacking in comparison to other sections. Although it is acknowledged that landscape considerations may be of higher concern than biodiversity, polytunnel applications still have the potential to harm or enhance biodiversity interests depending on their execution. This draft SPD should make it clear that biodiversity is a material consideration, and summarise the relevant policy and legislation, making reference to the council's Biodiversity SPG. Reference should be made to the list of habitats and species of principal importance for the conservation of biodiversity given under Section 41 of the NERC Act, and to the Herefordshire Local Biodiversity Action Plan (LBAP), which identifies habitats and species in the county which are under threat and prioritises action to reverse their decline. Surveys required should identify any impacts on these habitats and species and opportunities to enhance them.	Acknowledged. Further details have been added to section 5.
<b>Paragraph 4.59</b>		
Sarah Faulkner – NFU West Midlands Region & Matthew Price NFU Ross & Ledbury branches	Requires clarification of this para needed as unsure what is meant by 'high quality land reinstatement'. The land is used for agriculture when it is covered by polytunnels for part of the year and they will continue to be used for agriculture. If they weren't used for polytunnels then they would be merely ploughed and used for another crop, so expensive mitigation work is not required.	The purpose of this para is to require any reinstatement of land on the cessation of use. This will be considered on an application by application basis. No further change is necessary.
Mr N J Cockburn - Grower	Soft fruit crops are agricultural and when tunnels are moved the land remains in agriculture. There has been no change of use in the land and there is nothing to reinstate. The land will continue to be cropped as normal. There will be environmental benefits from the way in which the land has been managed for shelter for the crops. This para should be deleted.	Noted. The purpose of this para is to require any reinstatement of land on the cessation of use. This will be considered on an application by application basis. No further change is necessary.
<i>Supplementary Guideline 3/4</i>		

Mr Peter Huyton - Resident	These refer to a limit of the total area that may accommodate polytunnels but do not refer to what the limit might be nor what criteria will be used to determine the limit.	Through Wide Farm Plans limited may be applied to polytunnel development. Each site needs to be considered on its merits.
<i>Supplementary Guideline 20/21</i>		
Mr N J Cockburn - Grower	Tunnels only occupy the more central parts of fields, with a buffer zone all around them, whereas other crops will be planted right up to the hedges. It is difficult to see how this practice might impinge on protected species. There is already a duty of care to protected species, this is duplication. As for seeking to create, restore and enhance habitats, the question why is asked when no harm has been caused in the first place.	Noted.
<b>Paragraph 4.60</b>		
Virginia Morgan - Herefordshire Wye Valley AONB Association and Bob Widdowson - CPRE	A Supplementary Guideline for Archaeology should be part of this SPD which would strengthen the policies outlined in the UDP.	Specific advice concerning Archaeology is contained within the Archaeology and Development SPD. Whilst change is proposed to afford protection to the setting of Scheduled Ancient Monuments it is not expected that polytunnel development will have any adverse impact on other archaeological remains.
Chris Lambert - The National Trust	Para 4.60 - The section fails to establish that polytunnels that are harmful to the preservation of archaeological remains or their settings may be refused permission. We suggest that an approach is set in accordance with UDP and national policies which ensures the preservation of important archaeological sites and their settings as well as ensuring that the archaeological value of sites is assessed when developments are proposed. A Guideline on this point would seem appropriate.	Noted. Change is proposed to add further information in respect of any associated developments ie lagoons/reservoirs where regard would need to be had to archaeological remains. See also above.
Nick Evans - Uni of Worcs and CRC	The 'Archaeology' sub-section is curious in that it is the only one that does not have a supplementary guideline.	Noted.
<b>Paragraph 4.61</b>		
Virginia Morgan - Herefordshire Wye Valley AONB Association and Bob Widdowson - CPRE	This Clause is Commended. Reservoirs, and the disturbance caused by their construction, will create a permanent effect on the landscape.	Noted.

Donna Tavernor - CLA West Midlands	<p>“reservoirs are particularly intrusive elements of a polytunnel development” –it is good farming practice to install winter water storage reservoirs as irrigation water can be sourced from the reservoir rather than other supplies. Careful design of reservoirs can mitigate their impact on the landscape and historical features.</p>	Agreed. Changes proposed.
<b>Paragraph 5.1</b>		
Chris Lambert - The National Trust	<p>The information provided in an application is clearly essential to the ability of the local planning authority to reach a decision and for third parties to be able to comment meaningfully. As a whole this section should be given greater force. For example, it should refer to the Council's adopted Planning Application Requirements and the degree of information that is required to enable an application to be registered as valid. A Supplementary Guideline would emphasise the importance of this section, as would a change of title. Suggested changes: Revise title to “Planning Application Requirements”. Revise paragraph 5.1 to refer to the Council's Planning Application Requirements document and the need for all relevant information to be provided in order for an application to be registered as valid. Add new guideline: Supplementary Guideline 22 Planning Application Requirements - Planning applications will only be registered as valid if they contain sufficient information. In assessing this, the Council will have regard to the criteria in its published Planning</p>	Agreed. Changes proposed in respect of an additional guideline, this is not thought necessary as all information referred to has already been detailed.
		Within the SPD it outlines the need to protect heritage assets and the requirements for assessments as to the impacts upon them and further change is necessary.
<b>Paragraph 5.2</b>		
Mr A Fraser - Marden Resident	Understood that, normally, 6 copies of applications were required, not 4.	Agreed. Change proposed to follow the Councils planning application requirements.
<b>Paragraph 5.7</b>		
Chris Lambert - The National Trust	Guidance on the work required for landscape and visual assessment for different scales of polytunnel development would be helpful.	Guidelines are available through the references supplied in para 5.9.

Hayley Pankhurst - Natural England	The reference in paragraph 5.7 to "within visual proximity of the site" should be further defined to aid users.	The phrase is considered sufficient, it is not felt necessary to provide further detail.
<b>Paragraph 5.9</b>		
Hayley Pankhurst - Natural England	The 'Landscape or Visual Impact Assessments' section of 'Section 5: Additional Information' broadly meets with approval. The reference to the IEMA Guidelines is welcomed. Reference could also be made to Natural England's Joint Character Areas, available online at <a href="http://www.countryside.gov.uk/LAR/Landscape/CC/jca.asp">http://www.countryside.gov.uk/LAR/Landscape/CC/jca.asp</a> . The reference to the Council's Landscape Character Assessment SPG given earlier should be repeated here for ease of use.	Noted. Additional references are proposed.
<b>Paragraph 5.10</b>		
Virginia Morgan - Herefordshire Wye Valley AONB Association and Bob Widdowson - CPRE	The requirement for more than 'broad statements' from the applicant in their economic assessments is noted. Comments have been made in this document stressing the need for robustly evidenced economic arguments in the remarks above under: 'Section 4, Detailed Assessment of Planning Issues, General comment' and 'Economic Need and Impact', Clauses 4.3 to 4.12.	Noted.
<b>Paragraph 5.11</b>		
Virginia Morgan - Herefordshire Wye Valley AONB Association and Bob Widdowson - CPRE	The reference to 'polytunnels [...] on a small scale' is noted. Clause 5.16 below defines large-scale as 'sites of 1 hectare or more'. Can it be assumed that the Council is defining small and large scale polytunnels in these terms? If so, this definition would be a helpful addition to Clause 1.6 under the heading, 'What are Polytunnels'.	The reference to 1ha or more relates to an Environment Agency threshold in respect of land of flood risk. It should not be taken that 1ha constitutes the Councils definition of large or small scale polytunnel developments.
<b>Paragraph 5.12</b>		
Aubrey Green - Arrow Valley Residents Association	What is meant by "large-scale"?	The 1ha is the threshold held by the EA as minimum in terms of flood risk.
<b>Paragraph 5.15</b>		



Mr A Fraser - Marden Resident	The downside to your suggestion that growers should work together to produce an economic analyses implies that one analysis will satisfy the planners for all planning applications. I would expect each grower to be responsible for his economic analyses and for it to be completed independently of any other grower. Under the circumstances it is probably better if you delete your over-long sentence about growers working together.	Noted. However there may be economic information that can be used by more than one grower.
Nick Evans - Uni of Worcs and CRC	Proposes adoption of a 'balance sheet analysis', but this is of questionable feasibility (how can anyone measure tourism 'uplift' - see point 22 above) and it is difficult to see what this will achieve. Appendix 2 also refers specifically to the situation in 'protected landscapes', as stated – what about non-protected landscapes?	It states in para 5.15 that the balance sheet in appendix 2 is specifically for protected landscapes where it is a requirement and is a suggestion for how to set one out. This para goes on to say that a similar balance sheet could be required for non designated landscapes. No further change is necessary.
<b>Paragraph 5.16</b> Virginia Morgan - Herefordshire Wye Valley AONB Association and Bob Widdowson - CPRE	Please refer directly above to the comments on 'large-scale' under reference p25, Clause 5.11.	Noted.
<b>Paragraph 5.17</b> Mr A Fraser - Marden Resident	I believe the Environment Agency should be included in this paragraph as having a level of approval of the proposal.	Agreed. Change proposed.
<b>Paragraph 5.19</b> Hayley Pankhurst - Natural England	Should be amended to state "A wildlife habitat survey carried out by a suitably qualified and experienced ecologist and at an appropriate time of year will be required ..."	Agreed. Change proposed.
<b>Paragraph 5.20</b>		

	<p>The provision of further detail in the list of requirements supplied in paragraph 5.20 would help to clarify what is required of applicants. For ease of use Natural England's recommended amendments are shown below as if they were incorporated into the existing list. These recommendations do not amount to further surveys and therefore associated time and costs to the applicant, but should help to ensure that the information supplied is fit for purpose in the first instance. A records centre search and an extended Phase 1 Habitat Survey, conducted at an appropriate time of year and including an assessment of the presence of protected species and/or the potential of the habitats present to support protected species must be submitted with the application. This should include maps showing Phase 1 Habitats present, distribution of species and the location and type of existing and proposed polytunnels. Any potential impacts on these features should be identified (Note – information on badgers, if present, should be submitted in a separate confidential report). Further protected species surveys at an appropriate time of year will be required for any protected species that have potential to be present or have been found. Pre-application discussion with the county ecologists is recommended to ensure clarity in regard of survey and assessment requirements. A Natural England Licence is required for any development that would affect a European Protected Species. In addition to protected species, the presence of any priority habitats or species and LBAP habitats and species should also be identified along with any potential impacts. Any European sites such as Special Area of Conservation (SAC) or Special Protection Area (SPA) or nationally designated sites such as Sites of Special Scientific Interest (SSSIs) within a minimum of 2km of the proposal should be identified along with any potential impacts upon them. Natural England and the Environment Agency must be consulted as to the need for Habitat Regulations Assessment where a SAC or SPA may be affected. Any locally designated sites of wildlife or geological importance must be identified along with any impacts on them.</p>	<p>Hayley Pankhurst - Natural England</p>
		<p>Agreed. Change proposed.</p>

	<p>The assessment must identify and describe potential development impacts likely to affect the species and/or their habitats identified (these should include direct and indirect effects both on-site and off-site during site preparation, construction and subsequent working practices). Where harm is likely, evidence must be submitted to show: How alternatives designs or locations have been considered; How adverse effects will be avoided wherever possible; How unavoidable impacts will be mitigated or reduced; How impacts that cannot be avoided or mitigated will be compensated. In addition, in accordance with the local authority's duty under Section 40 of the Natural Environment and Rural Communities Act 2006 and PPS9 Biodiversity and Geological Conservation, proposals that will enhance, restore or add to biodiversity interests will be welcomed. The retention of existing trees on the site should be sought. A tree survey in accordance with BS5837:2005 Trees in Relation to Construction may be required. Pre-application discussion with the county ecologists is recommended to ensure clarity in regard of survey and assessment requirements. All proposals will require compliance with Herefordshire Council's UDP policies for nature conservation (NC1-NC9) and Government Guidance. (See Herefordshire Council's Biodiversity SPG for further information).</p>	
	<p>Correction.</p>	
<p><b>Paragraph 5.21</b></p>	<p>Delete "English Nature " (which no longer exists) and replace with 'Natural England'</p>	<p>Noted. Changes are being proposed to eliminate inappropriate terms.</p>
<p>Mr Peter Huyton - Resident</p>	<p>For an official document, there are surprising occurrences of instances of the use of cliché or colloquial English – 'to iron out potential problems....'</p>	<p>Noted. Para 5.22 states that if the proposals are considered significant then community consultation should be carried out in accord with the Council's SCI. It is not felt possible for the applicant to provide reasons why this has not taken place.</p>
<p>Nick Evans - Uni of Worcs and CRC</p>	<p>I strongly believe in community consultation for large scale developments. There is probably some reason in law why you can only 'advise' applicants to enter this process. All the same, I feel the Draft should contain a sentence, perhaps at the end of Paragraph 5.22, requiring applicants to give reasons why a community consultation exercise has not been carried out.</p>	
<p>Charles Thwaites - Resident</p>		
<p><b>Paragraph 5.22</b></p>		<p>Noted. The consultation statement accompanying the application will detail the outcome of consultation which will be available to the public.</p>
<p>Mr A Fraser - Marden Resident</p>	<p>I believe you should include a sentence to ensure that the Parish Council has confirmed that it has the same understanding of the outcome of any consultation as the applicant.</p>	

<p><b>Paragraph 5.23</b></p> <p>Robert Hemblade - PROW</p>	<p>'Other Information', it states that, 'a variety of other studies or assessments may need to accompany certain planning applications ...' and goes on to say that one of these is a 'Rights of Way Assessment'. We would like the name to be changed to 'Public Rights of Way Assessment' and that the requirement for a PROW assessment is included in the main Public Rights of Way Section at 4.34 to 4.37 rather than at the end.</p>	<p>Agreed. Changes proposed.</p>
	<p>Whilst the S&amp;A Group is generally in agreement with the scope of supporting information identified, it's important that the requirements placed on growers are not unduly onerous and that a consistent approach is adopted.</p>	<p>Noted.</p>
<p>S &amp; A Group - Grower</p>	<p>The additional information required with planning application is very costly to the businesses; consideration needs to be given the scope of information that can be reasonable required up front and which can be adequately dealt with as a condition to grant planning permission.</p>	<p>Acknowledged. The scope and form of information required will vary and needs to be determined with the Planning Officer.</p>
	<p>Supporting information should be kept straightforward and concise as possible.</p>	<p>Noted.</p>
	<p>The SPD should make reference to the Environmental Impact Assessment (EIA) regulations, as large-scale use of polytunnels may fall within the scope of the regulations and require a full Environmental Statement.</p>	<p>Agreed. Change proposed.</p>
<p><b>Paragraph 6.2/6.3</b></p> <p>Mr Robert Hodges - Resident</p>	<p>The granting of permanent planning permissions will have a significant impact on tourism, the effects of individual sites may not yet be fully appreciated. The granting of temporary planning permission for 10-12 years might be an appropriate solution.</p>	<p>The use and consideration for temporary permission is set out in paras 6.1-6.3, clearly there are instances when a temporary permission will be preferred.</p>

<p>Charles Thwaites - Resident</p>	<p>The arguments put forward against Temporary Planning Permissions are rather weak. I agree that 3 or 4 year permissions are not sufficient periods in which the grower can plan, but why can't the Council think in terms of longer periods for some crops, say 10+ years? There may be development control reasons for this (development being deemed lawful after a certain period, for instance), but I feel the next draft owes those of us who believe that time limits on blocks of polytunnels can provide at least some measure of certainty an explanation of why even lengthy temporary permissions are not an option. Tantalisingly, the Draft revisits the concept of temporary permissions when discussing whole farm plans at Paragraph 5.32, but I assume this again is in the context of short-rotation fruit.</p>	<p>Noted. No specific time period has been discussed in the SPD it merely states potential time limits will be determined on a case by case basis if needed.</p>
<p>Mr Peter Huyton - Resident</p>	<p>This refers to people having to put up with polytunnels for only three to four years (as if this was ok ) but it doesn't recognise that moving a tunnel to the next field may mean no real benefit to a house or houses suffering from polytunnel proximity. Nor to the views from further afield. This refers to possibility of permission for tunnels for much longer than three years ( - could be 10 or 15 ? ). What is to stop a grower claiming permanency for permission where a development is in place for more than 4 years - as happened at Pennoxstone at King's Caple?</p>	<p>Noted. However guidelines on proximity to dwellings and other mitigation requirements may help. Applications to extend temporary permissions or make them permanent should be determined on a case by case basis.</p>
<p>Sarah Faulkner – NFU West Midlands Region &amp; Matthew Price NFU Ross &amp; Ledbury branches</p>	<p>We welcome the acknowledgement that planning permission must be tailored to the crop requirement as they vary considerably.</p>	<p>Noted.</p>
<p>Aubrey Green - Arrow Valley Residents Association</p>	<p>Any "temporary" application must show why the period claimed is essential.</p>	<p>Temporary permissions would be expected to reflect the time related need of the crop.</p>
<p>Duncan McCallum - DPDS Region</p>	<p>In determining planning permissions it is open to the Council to impose time limit conditions where they would overcome an objection which would otherwise lead to the refusal of planning permission. Within the guidance on conditions (circular 1/95) it might be appropriate to do so. However, within a pattern of rotation, it should be noted that if polytunnels are taken down, planning permission will be required for their re-erection. SPD cannot take away the need to apply for planning permission for development. The SPD does not make this clear and the advice on Whole Farm Plans risks misleading people and is likely to lead to legal action.</p>	<p>Noted. Whole farm plans allow the application to demonstrate the rotational pattern of polytunnels across the whole farm for a set period, these whole farm plans will be looked at on a case to case basis. No wording changed. Planning permissions for whole farms need to make clear where removal and re-erection can take place.</p>

Mr A Fraser - Marden Resident	In many instances strawberry plants are replaced every calendar year, as are raspberries. Under those circumstances a move every 3 years might be appropriate.	Noted.
<b>Paragraph 6.7</b>		
S & A Group - Grower	Whole farm applications are desirable when the applicant has only a single and small site for business operations, however, for those who have large scale and with multiple sites there needs to be more flexibility. S&A Group have developed a 'Master Plan' which identifies our development requirements throughout the County, thus enabling consideration of the overall impacts of the business and the benefits associated with consolidating the business at particular locations.	Noted.
Aubrey Green - Arrow Valley Residents Association	"whole farms" again not defined	Whole farm relates to the plan submitted by the applicant to cover the rotation of polytunnels across the entire farm site for the duration of time.
Donna Tavernor - CLA West Midlands	Under the new planning-related fees guidance in circular 04/08 it would be cheaper for a farmer to submit separate planning applications for separate polytunnels as currently the SPD would result in higher planning application fees for the farmer. The CLA suggests that the SPD should refer to the circular and minimise the cost of planning fees on the growers in particular: Glasshouses and polytunnels (category 4)	Noted. However it would depend upon the separate applications submitted as to whether this would be a cheaper option.
<b>Paragraph 6.9</b>		
Mr A Fraser - Marden Resident	No objection to this paragraph in principle although I do have concerns as to how it will be policed to ensure compliance, particularly when there is a relatively small enforcement organisation.	Noted.

<p>Nick Evans - Uni of Worcs and CRC</p>	<p>Overall – there is much emphasis here on pre-application consultation, yet this is an area that attracts strong criticism amongst all actors (varying from planners not venturing into the field to differences between planning officers’ advice and planning committee decisions). The ability to ‘time limit’ permissions seems compromised. Once zoned (5.32), can changes be made (rigidity argument)? How will objections be dealt with? How will enforcements be made – the SPD says nothing about this? How will environmental standards (to which the SPD is biased) be balanced against social (quality of life) standards?</p>	<p>There has been a strong requirement and support for pre-application advice to help the applicant ensure that they collate the correct detail which in turn will benefit local residents and expenditure from the applicant. Temporary planning applications will be determined on a case by case basis, objections and any enforcement will be considered through the Councils planning procedures.</p>
<p><b>Appendix 1</b></p>		
<p>Sarah Faulkner – NFU West Midlands Region &amp; Matthew Price NFU Ross &amp; Ledbury branches</p>	<p>Economic criteria; this table does not include any reference to the economic links to other upstream and downstream local businesses. This is a highly important economic criteria when examining the business contribution to the local rural economy. The table should include links with: Agricultural suppliers, Agricultural Engineers, Electricians &amp; plumbers, caterers, fuel and energy, local services and facilities and produce supplied to local shops etc...</p>	<p>Noted. The criteria is to help applicants set out their business case. Benefits to others could also be brought out in the application.</p>
<p>Mr Peter Huyton - Resident</p>	<p>Since any objections to a planning application are made public, much if not all of the information provided by an applicant as indicated in this appendix should be made publicly available. How else will objectors know the basis on which planning application is decided?</p>	<p>Information provided with a planning application is normally available to public scrutiny.</p>
<p><b>Appendix 2</b></p>		
<p>Sarah Faulkner – NFU West Midlands Region &amp; Matthew Price NFU Ross &amp; Ledbury branches</p>	<p>Economic Balance sheet analysis: The objectives should include a reference to the local rural economy for the reasons outlined above.</p>	<p>Acknowledged. See above.</p>
<p>Gary Woodman - Chamber of Commerce</p>	<p>The data for this appendix does not exist or is not available to any organisation therefore it is deemed unreasonable.</p>	<p>It is considered that much of that contained could be reasonably identified. It is to assist the applicants case.</p>

<p>Donna Tavernor - CLA West Midlands</p>	<p>Finally in terms of the Appendix 2, the CLA believes that this approach of the economic balance sheet analysis is not practical for each grower to complete. As the document recognises in 4.12 there is little statistical evidence produced by the Council or others on the effect of polytunnels on tourism. Each grower can provide the details related to his/her operation as highlighted in Appendix 1, but the data for Appendix 2 does not exist or is not available to any organisation therefore can only be deemed unreasonable.</p>	<p>The analysis shows the components that may need to be considered. It is acknowledged that not all will be required and some can be pooled between growers.</p>
---	---	---



# Polytunnels

## Supplementary Planning Document

November 2008





## CONTENTS

	Page
<b>SECTION 1: INTRODUCTION</b>	
Role and Purpose of the SPD	1
Consultation	1
Sustainability Appraisal	1
What are Polytunnels?	1
The Increasing Use of Polytunnels	2
Table Top and Raised Bed Growing	2
<b>SECTION 2: PLANNING CONTEXT</b>	
Polytunnels and Planning Control	3
Planning Policy Context	5
<b>SECTION 3: PLANNING ISSUES</b>	
List of Common Planning Issues	8
<b>SECTION 4: DETAILED ASSESSMENT OF PLANNING ISSUES</b>	
Economic Need and Impact	9
Landscape and Visual Impacts	12
Highway Matters	16
Residential Amenity	18
Water	18
Biodiversity	21
Archaeology	23
<b>SECTION 5: <del>PLANNING APPLICATION REQUIREMENTS</del></b>	
Design and Access Statements	24
Landscape or Visual Impact Assessments	25
Economic Assessments	25
Flood Risk Assessments	26
Water Resources Studies/Audits	26
Ecological Appraisals/Nature Conservation Assessments	26
Statement of Community Consultation	27
Other Information	27
<b>SECTION 6: PRE-APPLICATION PLANNING GUIDANCE</b>	
Temporary Planning Permissions	29
Pre-Application Discussions	29
Whole Farm Plans	30
<b>APPENDICES</b>	
Appendix 1: Economic Criteria – Business Case	37
Appendix 2: Economic Balance Sheet Analysis	38
Appendix 3: Example of Whole Farm, Sieve Map Analysis	39

Deleted: ADDITIONAL INFORMATION

## SECTION 1: INTRODUCTION

### ROLE AND PURPOSE OF THE SPD

- 1.1 With an increased use of polytunnels for agricultural soft fruit production, within the County, Herefordshire Council has prepared this supplementary planning document (SPD) to help potential applicants prepare their planning applications. It will also provide useful information to officers of the Council and other interested parties, local residents for example, on how the Council expects the many issues to be addressed within planning applications.
- 1.2 The SPD, which replaces a previous voluntary code of practice, will assist in clarifying which polytunnel developments will require planning permission and highlight the planning policy issues and requirements such proposals will need to address. It will expand upon and provide more detailed planning guidance on a number of relevant, but non polytunnel-specific UDP policies.

**Deleted:** the

**Deleted:** expected to rise

**Deleted:** have

### CONSULTATION

- 1.3 In July 2007, the Council published an Issues Paper to enable early consideration and comment to be made to the SPD. This was followed by structured consultation events with both representatives from the farming/growing community and with local individuals and representatives from interested lobby groups. Those responses helped shape the draft SPD, which was published for consultation purposes for 6 weeks from 26<sup>th</sup> June till 8<sup>th</sup> August 2008. Changes are now proposed to the Draft SPD as a result of the further comments received. A schedule of the comments and the Council's response is set out in the Consultation Statement which will accompany the SPD and can be found on the Council's website.

**Deleted:** The consultation process follows the Council's Statement of Community Involvement and responses are detailed in a separate 'Consultation Statement' which can be found on the Council's website.

**Deleted:** have

**Formatted**

**Formatted**

### SUSTAINABILITY APPRAISAL

- 1.4 In accordance with Government guidance, this SPD is subject to a Sustainability Appraisal, which can be viewed on the Council's website [www.herefordshire.gov.uk](http://www.herefordshire.gov.uk). The Sustainability Appraisal tests the performance of this draft SPD against a series of environmental, social and economic objectives. These were devised as part of the General Scoping Report of the Sustainability Appraisal of the Herefordshire Local Development Framework, which can also be found on the Council's website.

### WHAT ARE POLYTUNNELS?

- 1.5 Typically a polytunnel consists of galvanised steel hoops covered with transparent polythene sheeting and are used for crop protection from the weather. There are various sizes and differing materials used in their construction and also differences in the methods of fixing to the ground. How they are assembled and the level of on-site construction required also varies depending on the type of polytunnel used. Many tunnels used in soft fruit production tend to be 'multispan' structures, where two or more tunnels are linked to form a much larger structure. Technology in this area is

**Deleted:** mainly

**Deleted:** as cost effective greenhouses.

**Deleted:** Draft

**Deleted:** June

Polytunnels Supplementary Planning Document 1  
November 2008

expanding apace and additional extras such as ventilation kits, irrigation systems or windows as well as alternative materials are frequently being introduced.

- 1.6 This SPD is primarily concerned with the farm-scale commercial use of polytunnels for crop protection, where they are used for the production of soft fruit. Polytunnels provide the benefits of extending the growing season by protecting the crops from inclement weather, widening the variety of crops grown and providing some protection against pests and diseases reducing the need to spray fungicides and other crop protection chemicals. Polytunnels also enable harvesting to continue uninterrupted throughout the season in reasonable working conditions. Other benefits to soft fruit producers will be identified later in this document.

- Deleted: agricultural
- Deleted: industrial'-scale
- Deleted: plant
- Deleted: W
- Deleted: ,
- Deleted: p

### THE INCREASING USE OF POLYTUNNELS

- 1.7 Whilst Defra figures show a national overall decline in the total land used for soft fruit production between 1994 and 2004 they also reveal an increase in total soft fruit production<sup>2</sup>. More fruit is being produced from less land. Defra information also shows an increase in the protected planted area for both fruits and vegetables. Within Herefordshire, the land used for soft fruit production has increased by 61% since 2001, however still accounts for only 2% of cropping land in the county<sup>3</sup>. Finally, and over recent years the value of fruit has increased by 16% to £285 million to meet increased demand<sup>4</sup>.

- Deleted: Crop production in the UK currently accounts for 24% (or 4.4 million hectares) of land in agricultural use
- Deleted: <sup>1</sup>

### TABLE TOP AND RAISED BED GROWING

- 1.8 Recently soft fruit production has been evolving and, although rare, some growers are beginning to use the 'table top' method of production, whereby crops are grown in raised beds. The plants grow in substrate bags or trays containing coir, peat or coco peat, which sit on platforms, raised a few feet above ground level. The raised beds are connected to a system that irrigates the crops and provides necessary nutrients. Such crops are grown within a polytunnel-protected environment.

- Deleted: there is a move amongst
- Deleted: towards the
- Deleted: of
- Deleted: s
- Deleted: and pesticides

- 1.9 As the crops are not grown in the ground, there is no need to rotate them in the usual way. This method of production requires significant financial investment. This growing method could also reduce landscape and visual impacts. Table top growing requires less land and without the need for rotation means that these polytunnels can be located in the least sensitive landscapes and within an individual site.

- Deleted: It is estimated by some growers that at least ten years production is needed to recoup the cost of installing the table top growing infrastructure.

- 1.10 In terms of planning, the use of table top growing methods will mean that polytunnels and their associated infrastructure could be erected on a more long-term basis. In addition, it would seem logical to suggest that since plants are grown in substrate, the location of the tunnels would not be soil dependent, although it is recognised that being near to a reliable water source is necessary for irrigation.

- Deleted: will
- Deleted: permanent basis
- Deleted: a

<sup>2</sup> Defra Basic Horticultural Statistics 2005

<sup>3</sup> Herefordshire Partnership, Quarterly Economic Bulletin (August 2007)

<sup>4</sup> ONS Official Yearbook 2005

- Deleted: Draft
- Deleted: June

## SECTION 2: PLANNING CONTEXT

### POLYTUNNELS AND PLANNING CONTROL

#### (i) 2.1

The question of whether or not polytunnels require planning permission is found not in legislation but in case law around tests relating to size, permanence and physical attachment. Whilst the law has been open to interpretation it is being accepted that if a polytunnel proposal is of significant size, has a substantial degree of permanence and physical attachment to the ground then development requires planning permission.

#### 2.2

2.3

2.5 This position has most recently been established at the end of 2006 when the High Court heard an appeal by the Hall Hunter Partnership<sup>8</sup> against a decision by the Secretary of State dismissing two appeals involving enforcement notices relating to polytunnels and other various related works and development at Tuesley Farm, near Godalming in Surrey. One of the enforcement notices was against the construction of 40 hectares (99 acres) of 'Spanish' style agricultural polytunnels. In dismissing the appeal, Mr Justice Sullivan ruled that the polytunnels did constitute 'development'. He highlighted the substantial degree of their physical attachment to the ground, the work and man-hours required to erect and dismantle them, their degree of permanence, and their size and cumulative impact.

Conversely there will be smaller occasional examples of polytunnels that do not require planning permission (e.g. small structures covering for plants/crops in gardens or allotments, low tunnels, French tunnels and cloches /sheeting covering plants in fields at ground level for agricultural use.

Finally, where there is uncertainty on the need for planning permission, contact should be made with the Council's Area Planning Officer.

#### 2.6

<sup>8</sup> R (on the application of Hall Hunter Partnership) v First Secretary of State and Waverley BC and Tuesley Farm Campaign/Residents Group (Queen's Bench Division, Administrative Court, Sullivan J., December 15, 2006) [2006] EWHC 3482 (Admin)

**Deleted:** The question of whether or not polytunnels require planning permission has hinged on the initial consideration of two questions:  
(i) Are polytunnels 'development'? and  
If they are 'development', are they 'permitted development'?

**Deleted:** Whether or not a proposal constitutes 'development' is guided by section 55(1A) of the 1990 Town and Country Planning Act, where development is defined as:  
"the carrying out of building, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land"

#### Formatted

**Deleted:** It is the first part of this statement that is most pertinent to the issue of polytunnels, i.e. does the erection of a polytunnel constitute a 'building operation'? The answer to this question is found not in legislation, but in caselaw. Essentially, three tests have emerged from previous key cases, known as Cardiff Rating<sup>5</sup>, Skerrits of Nottingham<sup>6</sup> and the Brinkman<sup>7</sup> cases. These tests are:

<#>Size – a building is most usually something that is constructed on-site rather than being bought ready made.

<#>Permanence – a building is characterised by a physical change of some permanence.

<#>Physical attachment – for example; foundations. Method of fixing to the ground is considered as inconclusive in itself, but can influence the other two factors.

2.4 It must be noted that these tests are not exhaustive and the cases do not provide legal binding authority. The law has therefore been open to some interpretation. However, generally if a polytunnel

**Deleted:** At

**Deleted:** amount to

**Deleted:** In order to help simplify the question of whether or not a certain polytunnel development will require planning permission, the following flow chart can be used. Whilst there may be

**Deleted:** Draft

**Deleted:** June



## Associated Development

- 2.9 The development of polytunnels, particularly those on a large scale, will invariably also involve the need for other ancillary works or buildings. These may include, for example; seasonal workers' accommodation, toilet blocks, sewage treatment works, utility buildings, recreational facilities, storage facilities, drainage or irrigation works etc. Planning applications for polytunnels should include such associated developments to allow an understanding of the full extent of the proposed development. This will enable a comprehensive assessment of all relevant planning issues.
- 2.10 Where planning applications for ancillary works and polytunnels are to be submitted separately, then the application for polytunnels should come in advance of applications for associated developments, since it is the presence of the tunnels which dictates the necessity for other related proposals. Each of these applications will then be determined taking into account the cumulative effect of the development as a whole.
- 2.11 This SPD includes guidance on water resources and the need to avoid flood risk, together with the likely need for drainage works or water collection facilities to be included in applications for polytunnel developments. Planning policy guidance for associated buildings is guided by both national and local planning policies and is therefore not covered in this document.

Deleted: Ideally

Deleted: p

Deleted: also

Deleted: various developments

## PLANNING POLICY CONTEXT

- 2.12 When planning applications are submitted to the local planning authority they must be determined in accordance with the local development plan, unless material considerations indicate otherwise<sup>9</sup>. In Herefordshire the development plans are the Herefordshire Unitary Development Plan (UDP) and the Regional Spatial Strategy for the West Midlands. Other further guidance relative to the development of polytunnels is contained within national policy statements (PPGs and PPSs), in particular PPS1 – Delivering Sustainable Development and PSS7 – Sustainable Development in Rural Areas, whilst the Herefordshire Landscape Assessment Interim SPG provides detailed information on landscape character.
- 2.13 The following table shows a list of the UDP policies that could be of relevance to proposals for polytunnel development within the County and outlines examples of issues they cover. There will be a number of these policies which are only relevant in certain instances. It should be noted that this is not an exhaustive list and applicants are reminded that other regulatory standards such as Defra regulations will also need to be considered.

Deleted: policies which

Key UDP Policies	Examples of Issues Addressed through Policies
S1 Sustainable development	<ul style="list-style-type: none"> <li>▪ General sustainability considerations</li> <li>▪ Protection &amp; enhancement of natural environment &amp; historic heritage</li> <li>▪ Safeguarding of visual amenity &amp; landscape character</li> <li>▪ Support for sustainable economic activity &amp; high and stable levels of employment</li> </ul>

Deleted: Draft

Deleted: June

<sup>9</sup> The Planning System: General Principles Para. 10 (2005, ODPM)

	<ul style="list-style-type: none"> <li>Support for sustainable approaches to land use &amp; management in rural areas</li> <li>Avoidance or minimisation of adverse impacts of human activities, land uses &amp; development on the physical environment</li> </ul>
S2 development requirements	<ul style="list-style-type: none"> <li>Ensuring that new development is sustainable &amp; is designed within environmental constraints</li> <li>Taking a risk-based, precautionary approach to flood risk</li> <li>Avoiding developments with significant negative environmental effects &amp; providing mitigation/compensation where this is unavoidable</li> <li>Taking account of existing &amp; proposed infrastructure (e.g. water supply, water resources, highway network)</li> </ul>
S4 employment	<ul style="list-style-type: none"> <li>Building a strong, competitive economy with a balanced mix of businesses, jobs &amp; homes through which the local economy can flourish</li> </ul>
S6 transport	<ul style="list-style-type: none"> <li>Promotion of safe, efficient &amp; sustainable movement of people &amp; goods within the context of reducing the need to travel</li> </ul>
S7 natural & historic heritage	<ul style="list-style-type: none"> <li>Herefordshire's historic &amp; natural heritage will be protected, restored or enhanced</li> </ul>
DR1 design	<ul style="list-style-type: none"> <li>Promoting or reinforcing character &amp; appearance of locality in terms of layout, scale, mass etc.</li> <li>Respecting the context of the site</li> <li>Including measures to address the conservation of energy &amp; water and avoiding nuisance &amp; pollution</li> </ul>
DR2 land use & activity	<ul style="list-style-type: none"> <li>Avoiding prejudice to the amenity or continued use of adjoining land &amp; buildings</li> </ul>
DR4 environment	<ul style="list-style-type: none"> <li>Minimising resource use, including water &amp; energy</li> <li>Safeguarding the availability &amp; quality of surface &amp; groundwater supplies</li> <li>Avoiding the creation of or exacerbation of flooding or pollution problems</li> <li>Avoiding adverse effects to other land users, residential amenity or the environment</li> </ul>
DR6 water resources	<ul style="list-style-type: none"> <li>Resisting development where there is an unacceptable risk to the availability or quality of water resources</li> </ul>
DR7 flood risk	<ul style="list-style-type: none"> <li>Flood risk assessments</li> <li>Avoiding the unacceptable risk of flooding</li> </ul>
DR13 noise	<ul style="list-style-type: none"> <li>Inclusion of appropriate measures to mitigate noise impact to acceptable levels</li> <li>Consideration of the quiet enjoyment &amp; tranquillity of the wider countryside, landscape, wildlife areas &amp; historic features</li> </ul>
E12 farm diversification	<ul style="list-style-type: none"> <li><u>Encourages the diversification of local farmer based economies</u></li> </ul>
E13 agricultural & forestry development	<ul style="list-style-type: none"> <li>Avoiding adverse impacts on residential amenity and the environment</li> </ul>
T6 walking	<ul style="list-style-type: none"> <li>Acknowledgement of individual &amp; network value of walking routes</li> <li>Demonstration that local/strategic significance of walking routes through development sites is considered</li> <li>Respecting utility, convenience, recreational value, attractiveness &amp; historical significance of public rights of way</li> <li>Ensuring public right of ways are kept open and usable during development works</li> </ul>
T8 Road Hierarchy	<ul style="list-style-type: none"> <li>New accesses onto the strategic highway network will not be encouraged &amp; should not inhibit the strategic function of these routes.</li> <li>Development proposals needing access onto the road network should have regard to certain issues (as set out).</li> </ul>

**Formatted:** Bullets and Numbering

**Deleted:** Draft

**Deleted:** June



LA1 Areas of Outstanding Natural Beauty	<ul style="list-style-type: none"> <li>▪ Giving priority to the protection &amp; enhancement of the natural beauty &amp; amenity of AONBs</li> <li>▪ Providing guidance on which types of development will be permitted and of exceptions to this.</li> </ul>
LA2 landscape character & areas least resilient to change	<ul style="list-style-type: none"> <li>▪ Avoiding adverse effects on overall character of the landscape or its key attributes or features</li> <li>▪ Landscape character should influence design, scale, nature &amp; site selection</li> </ul>
LA3 setting of settlements	<ul style="list-style-type: none"> <li>▪ Avoiding development which has adverse effects on the landscape setting of settlements</li> <li>▪ Protection &amp; enhancement of visual approaches into settlements, views of key buildings, ridgelines &amp; valued surrounding open countryside, for example</li> </ul>
LA4 protection of historic parks & gardens	<ul style="list-style-type: none"> <li>▪ Avoiding adverse effects on the historic character, appearance &amp; setting etc of registered &amp; unregistered parks &amp; gardens</li> <li>▪ Submission of historic landscape appraisal report &amp; restoration scheme where proposals affects such areas</li> </ul>
LA5 protection of trees, woodlands & hedgerows	<ul style="list-style-type: none"> <li>▪ Provides for the enhancement and protection of trees and hedgerows</li> </ul>
LA6 landscaping schemes	<ul style="list-style-type: none"> <li>▪ Submission of landscaping schemes where development proposals will affect the visual amenity or character of the location</li> </ul>
NC1 biodiversity & development	<ul style="list-style-type: none"> <li>▪ Consideration of the effects on biodiversity &amp; features of geological interest</li> <li>▪ Retention of existing wildlife corridors with layout &amp; design</li> <li>▪ Avoidance of adverse effects on adjacent biodiversity, or proposals which lead to fragmentation, increased isolation or damage to protected habitats or species</li> </ul>
NC2 sites of international importance	<ul style="list-style-type: none"> <li>▪ Development which would adversely affect such sites will not be permitted other than in exceptional circumstances</li> </ul>
NC3 sites of national importance	<ul style="list-style-type: none"> <li>▪ Development which would adversely affect such sites will not be permitted other than where the reasons clearly outweigh the nature conservation value of the site &amp; the national policy to safeguard the network of such sites</li> </ul>
NC4 sites of local importance	<ul style="list-style-type: none"> <li>▪ Development which would adversely affect such sites will not be permitted other than where there would be no harm to the substantive nature conservation value of the site, or where mitigation &amp; compensatory measures can be taken, or where the reasons for development clearly outweigh the need to safeguard the nature conservation value of the site</li> </ul>
NC5 European & nationally protected species	<ul style="list-style-type: none"> <li>▪ Development which would adversely affect particular species will not be permitted</li> <li>▪ Where a need for development is demonstrated, strict conditions/agreements will be imposed</li> </ul>
NC6 Biodiversity Action Plan priority habitats & species	<ul style="list-style-type: none"> <li>▪ Proposals that threaten priority species or habitats will not be permitted unless reasons for development clearly outweigh the need to safeguard the habitat or species</li> </ul>
NC8 habitat creation, restoration & enhancement	<ul style="list-style-type: none"> <li>▪ The design of new developments should, wherever possible, enhance existing wildlife habitats &amp; provide new habitats for wildlife as opportunities arise</li> </ul>
NC9 Management of features of the landscape important for flora & fauna	<ul style="list-style-type: none"> <li>▪ Proposals including measures for the creation, restoration, enhancement or protection of biodiversity will need to provide for the management and monitoring of those features concerned.</li> </ul>
HBA4 setting of listed buildings	<ul style="list-style-type: none"> <li>▪ Seeks to protect the setting of listed buildings</li> </ul>
ARCH 1 – 6	<ul style="list-style-type: none"> <li>▪ Policies protecting sites / structures of archaeological importance.</li> </ul>

Deleted: Draft

Deleted: June

Archaeology	
RST9 Herefordshire & Gloucestershire Canal	<ul style="list-style-type: none"> <li>▪ Historic route of the H &amp; G canal &amp; associated infrastructure will be safeguarded.</li> <li>▪ Where original alignment cannot be re-established, a corridor allowing for deviations should be safeguarded.</li> <li>▪ New developments on/adjacent to Canal will be required to incorporate land for restoration.</li> <li>▪ Development which would prevent or prejudice the restoration of a continuous route will not be permitted.</li> </ul>

**Deleted:** Draft

**Deleted:** June

## SECTION 3: PLANNING ISSUES

3.1 There will be a variety of planning issues associated with the erection of polytunnels. The following list is not exhaustive, but outlines the planning issues that most frequently arise when applications for planning permission are being considered:

### ▪ Economic Need and Impacts

Issues of relevance to the determination of planning applications may include the potential economic advantages and disadvantages to both the individual grower and to the wider local and national economies and the potential impacts on local tourism and leisure industries or on local services for example.

### ▪ Landscape and Visual Impacts

The long distance views and prominence of polytunnels in the landscape are an important consideration's, particularly where a development is proposed in an AONB or close to a listed building or other sensitive area.

Deleted: is

### ▪ Residential Amenity

Those living close to polytunnels may be adversely affected by negative visual impact, or general nuisance caused by odour emissions, dust, smoke, chemical fumes, noise or increased traffic movements for example.

Deleted: due to negative visual impacts, dust, noise or increased traffic movements for example

### ▪ Transport

Any highway safety issues should be considered, particularly since polytunnel developments are frequently associated with increased heavy vehicular traffic along narrow country lanes.

### ▪ Water

Flood risk and surface water run-off should be carefully addressed, as should potential adverse impacts on local water resources. Active management techniques and mitigation measures proposed should also be taken into account.

### ▪ Biodiversity

Ecological surveys or analyses will provide essential information on how an expanse of polytunnels may affect the biodiversity of an area and its affects on wildlife.

### ▪ Public Rights of Way

Both the use and enjoyment of public rights of way should not be adversely affected by the erection of polytunnels and the Herefordshire Council has a legal duty to assert and protect the rights of the public in these respects.

### ▪ Archaeology

Polytunnels and, more often, their associated works, such as the installation of irrigation systems and the creation of access roads or hardstandings, have the potential for impacting on archaeological interests.

Deleted: Draft

Deleted: June

## SECTION 4: DETAILED ASSESSMENT OF PLANNING ISSUES

4.1 The following section sets out in detail how the various planning issues previously outlined ~~should be considered by the applicant at the pre-application stage and by the Council once applications have been submitted.~~

**Deleted:** by the Council

4.2 Although there are often many planning issues that need to be considered when assessing the appropriateness of a polytunnel scheme, ~~the two key issues which must be balanced are:~~ economic benefits/impacts and landscape impacts. It is therefore these that are first discussed below, followed by a number of other planning considerations that must be fully addressed in order that all potential issues surrounding an application can be adequately considered. Although the list is comprehensive, it may not be exhaustive, depending on the particular circumstances of the proposal.

**Deleted:** a refusal or approval of an application may, in many instances, be the result of a balancing of

### ➤ ECONOMIC NEED AND IMPACT

4.3 A fundamental argument in favour of polytunnels is the economic benefit ~~for both the farmers and the wider local or national economy, which can be derived from their use, resulting in the production of high value fruit or vegetables.~~

**Deleted:** (primarily for farmers, but also potentially for the

**Deleted:** ),

4.4 Herefordshire's economic vulnerability is reflected in and recognised by its inclusion in a wide range of European, national and local funding schemes. The narrow economic base inherited from pre-industrial times largely persists in Herefordshire, where there is still a dependency on food production, processing, rural resource management and tourism.

4.5 Planning policies at national, regional and local levels recognise the importance of the agricultural sector. PPS7 advises local authorities to support development proposals that enable farming to become more competitive, sustainable and environmentally friendly and to adapt to changing markets. Herefordshire is part of the Rural Renaissance Zone defined in the Regional Spatial Strategy (RSS) for the West Midlands. Policy PA15 seeks to promote agriculture and farm diversification. Including new innovative crops, on-farm processing and local marketing.

**Deleted:** m

4.6 The UDP's overall development strategy was produced in the light of the need to promote a diverse and strengthening rural economy, whilst protecting its quality landscapes and making sustainable use of natural resources. Policy E13 deals with agricultural development and the supporting text refers to the need to balance landscape impact against the operational needs of agriculture, recognising that necessary development ~~is~~ often prominent in the rural landscape.

**Deleted:** are

4.7 The economic argument is of particular importance when polytunnel developments are proposed in AONBs. In such instances an applicant must show clear evidence that the development is necessary in terms of providing direct benefits to the local community for example in relation to local services or facilities, particularly in the light of any potential harm to the landscape which may be identified. Where applications relate to undesignated landscapes these economic arguments are still appropriate

**Deleted:** Draft

**Deleted:** June

Polytunnels Supplementary Planning Document 9  
~~November 2008~~

since economic benefits to the County (and the UK) are important planning considerations, alongside environmental ones.

**(a) Commercial Economic Benefits**

The soft fruit industry has, both within previously submitted planning applications/appeals and through general information (such as that produced by British Summer Fruits) outlined the potential economic benefits of producing fruit under cover and these arguments can be produced as part of a planning application. (Where information is commercially sensitive this will be treated confidentially by the Council and any associated paperwork kept out of publicly available files.) The following points were derived primarily from the British Summer Fruits website ([www.britishsummerfruits.co.uk](http://www.britishsummerfruits.co.uk)) and may be relevant to a planning application:

Deleted: 4.9

- *Demand for High Quality Produce* – it is argued that it is no longer realistic or economic to grow crops such as strawberries in the UK climate to the standards of reliability and quality demanded by today's customers without tunnel protection. This situation also applies to other UK grown crops such as tomatoes, onions, carrots, potatoes, peppers and flowers.

*Production Yield and Costs* – Prior to the introduction of polytunnels, only 50% of an average yield consisted of class 1 fruit. Protecting fruit under tunnels has increased this to 90%. Protected soft fruit on average produces 30-35% improved class 1 yield versus outdoor non-protected production. This makes growing the crop economically viable.

- *Demand and Supply* – UK consumers are now demanding a reliable, year-round supply of soft fruits. Where crops are grown in the open air, production is unpredictable due to rainfall preventing harvesting and spoiling fruit. Poly tunnel growing enables a longer supply of fresh and quality fruit, which is grown and sold in this country.

Deleted: For a grower, this can mean the difference between having a prosperous business and going out of business, since labour costs are too great to afford picking off large percentages of low grade or unsaleable fruit.¶

Deleted: continuous and reliable

- *Growth and Diversification of Agricultural Sector* – The British soft fruit industry has used polytunnel systems to lengthen the growing season from six weeks to eight months or more. This has significantly reduced the amount of soft fruit imported into the UK, ensuring that the British soft fruit industry is economically successful.

Deleted: in a period when, in general, the UK agricultural sector is in a period of decline

**(b) Wider Benefits to the Local Rural Economy or the National Economy**

4.10 In addition to the commercial/business economic benefits of producing crops under tunnels, there may also be economic benefits to both the economy of the wider rural community and the agricultural economic prosperity of the country as a whole. It is those benefits to the local or national economy that are likely to carry the more weight in the determination of a planning application than those economic benefits to individual businesses. Therefore properly evidenced statements of such advantages should be an important component of any planning application.

- *Employment and the Rural Economy* – The soft fruit industry is labour intensive compared to many other parts of the agricultural sector. Temporary staff are taken on to work on fruit farms where polytunnels extend the growing season and can be employed for longer parts of the year than was previously the case before the introduction of tunnel growing. Much of the labour used is temporary foreign labour. During harvesting, these seasonal workers are brought in to a growing area. At this time they make some contribution to the local economy by spending money in local shops and businesses and make use of local services, for example. In addition soft fruit enterprises will

Deleted: Staff

Deleted:

Deleted: ng

Deleted: They then contribute to

Deleted: making

Deleted: Draft

Deleted: June

purchase goods and services from elsewhere both locally and in the UK, helping to support jobs in supplier companies.

▪ *Impact on local services.*

The number of additional employees required to work on fruit farms has resulted in an increase in inward migration to rural areas. In some areas this has increased pressures on local services and infrastructure such as schools, police and doctors' surgeries. Conversely, it can be said that local services are better supported (buses, shops, pubs, schools etc) and that such support is helping to keep these services alive in rural locations, where they have previously struggled to remain economically viable. The positive or negative influence of an increase in local populations, whether temporary or permanent, should be addressed as part of the assessment of the economic effects that polytunnel proposals may have on localities.

▪ *Pesticide Usage* – The use of polytunnels results in significant reductions in moisture related diseases such as botrytis, downy mildew and black spot, meaning that fewer quantities of pesticides to control these types of diseases have to be purchased and used. This is beneficial not only for the economic viability of the farm, but also for the environment.

▪ *Reduction in Food Miles* – Increasing land supply will have the effect of reducing foreign imports. This will in turn impact upon international transportation of fruit by air and road at a time when food miles are generally increasing due to demand for more fruit and the distance we drive for it. Whilst the contributions that individual farms make are relatively small, it is considered that weight should be attributed to their share of this overall national economic benefit.

**Deleted:** Although local inhabitants have objected to this because of the perceived pressures this is putting on

**Deleted:** ,

**Deleted:** and even on internet terminals in libraries, this is a moot point

**Deleted:** others argue that the general decline in rural services that has taken place over recent years has been reversed as a result of an increase in demand for the services they provide. Local bus services are said to be better supported, as are shops, pubs, schools etc. This could be helping to keep

**Deleted:** (this can equate to a 50% reduction in botrytis fungicide use or more)

**Deleted:** can be

**Deleted:** Over the last 10 years the substitution of imported fruit for local fruit has resulted in significant sustainability benefits of reducing the international transportation of fruit by air and road. For instance, until recent years fruit was air-freighted from California as the main source of late summer and early autumn soft fruit, but these imports have been eliminated. Nationally this import substitution is valued at over £100 million per annum. Although

**Deleted:** The decision of the Council that weight should be given to the economic benefits of increased covered soft fruit production when assessing planning applications was supported by the comments of an Inspector in the appeal decision in 2008 on a soft fruit enterprise at Kings Caple<sup>10</sup>.

**Deleted:** prove detrimental to

**Deleted:** It

4.11

(c) **Local Tourism and Leisure – Economic Impacts**

4.12 In addition to the economic points raised above, there is another side to the economic impacts of polytunnels, which must also be considered. Landscapes, particularly those that are specifically protected, are an important focus for tourism and other leisure visits to the countryside of Herefordshire, bringing income to the wider rural economy. The visual impacts of polytunnel use could affect these interests. However, it is acknowledged that there is little current statistical evidence produced by the Council or others on the effect of polytunnels on tourism.

**SUPPLEMENTARY GUIDELINE 1: ECONOMIC BENEFITS  
[RSS Policy PA15 and UDP Policy S4]**

**The benefits of polytunnels in enabling the production of increased quantities and qualities of soft fruit, the sustainability benefits of reducing food miles and the positive contribution to the rural economy are all matters to which considerable weight will be accorded in the balance of considerations.**

➤ **LANDSCAPE AND VISUAL IMPACTS**

**Deleted:** Draft

**Deleted:** June

4.13 In Herefordshire where the high quality of the landscape is part of the intrinsic character of the area, the visual impact of polytunnels is often the most significant negative planning issue in connection with polytunnel development. The much valued landscape assets are irreplaceable and must be conserved if sustainable development is to be achieved. It is the Council's ambition to regenerate rural areas and encourage sustainable development in living communities, whilst recognising the need to protect the historic landscape character and identity.

Deleted: invariably

4.14 Applications for tunnels will be expected to fully address the landscape impacts of the proposal, both individually and in the context of other similar developments within visual proximity of the proposal site.

4.15 The Supplementary Planning Guidance (SPG) document *Landscape Character Assessment* (2004) provides the guidance necessary to enable applicants to ensure that their development proposals comply with the landscape policies of the UDP. It is intended to promote the use of landscape assessment as part of the development control process, to increase awareness of the countryside's character and to ensure that future development is compatible with that character.

4.16 It is often inevitable that proposals for development in the countryside will alter the appearance of the landscape. However, the Council's planning policies stress the importance of ensuring that change should be appropriate to its setting and not be allowed to overwhelm and destroy the inherent character of the landscape. The landscape's ability to accept a polytunnel development without undue harm should be a prime consideration.

**(a) Protected Landscapes**

4.17 Areas of Outstanding Natural Beauty are national statutory landscape designations. Local planning authorities have a duty of care to protect, conserve and enhance the natural beauty and character of these nationally important, high quality landscapes. National guidance, Planning Policy Statement 7 (PPS7) – Sustainable Development in Rural Areas, refers to the special value of AONBs.

4.18 The UDP also contains specific policies for development in the two AONBs in Herefordshire, which seek to complement both AONB management plans and reconcile development needs and visitor pressure with the conservation of the landscape and natural resources.

4.19 In AONBs, UDP policy LA1 states that development will only be permitted where, it is small scale, does not adversely affect the intrinsic natural beauty of the landscape, and is necessary to facilitate the economic and social well-being of the designated areas and their communities or can enhance the quality of landscape or biodiversity. Clearly the protection of such nationally designated landscapes is of utmost importance and development that adversely impacts upon them will not generally be permitted.

Deleted: amongst other things, it

4.20 Whilst it may be possible to accommodate change within particularly sensitive or ancient landscapes, the scale of the change is likely to be very limited before the character of the landscape is compromised. This is especially true if the least resilient attributes of landscape character are those that are affected by the change. Applicants should therefore provide site specific assessment of landscape sensitivity and resilience within their landscape assessments that accompany their application as required in Section 5.

Deleted: Draft

Deleted: June



4.21 In addition to the ~~Council's~~ development plan, the local planning authority will also ~~need to~~ take account of ~~other~~ statutory documents ~~including~~ AONB ~~Management Plans~~ during the determination of a planning application.

Deleted: statutory

Deleted: such

Deleted: non-

Deleted: like

Deleted: m

Deleted: p

Deleted: Although

Deleted: ,

Deleted: t

Deleted: very well

4.22 ~~Whilst it is the case that not all polytunnels require planning permission,~~ some have argued that there should be a blanket ban on polytunnel development in AONBs. ~~This is not a feasible option. There may be instances where small scale tunnel developments may be acceptable and it should be acknowledged that AONBs are working landscapes where farming and other businesses should be allowed to thrive where there are no significantly detrimental impacts on the intrinsic natural beauty and character of the protected landscape. Each application within the AONB will be decided on its merits, and the potential impact on the AONB will be considered along with the wider economic and social benefits. Consideration will also be taken into account to the cumulative affect of polytunnel development within the AONBs.~~

## SUPPLEMENTARY GUIDELINE 2: AREAS OF OUTSTANDING NATURAL BEAUTY [UDP Policy LA1]

~~It should be recognised that farm-scale polytunnels for commercial use is not normally an accepted form of development in AONBs. In such cases where development is proposed and where economic benefits are being weighed against landscape impact, priority will be afforded to protecting the natural beauty of AONBs.~~

Deleted: In AONBs,

Deleted: in marginal

Deleted: the landscape over all other planning considerations.

### (b) Landscapes with no statutory designations

4.23 Policy LA2 of the UDP states that proposals for new development that would harm the character of the landscape, or its key attributes, as described in the Supplementary Planning Guidance: *Landscape Character Assessment* (2004) will not be permitted and that new development should take account of landscape character. With polytunnel developments, it is most often the large scale, cumulative impact and prominent visibility of such schemes that causes harm to landscape character.

4.24 The capacity of different landscape types to accommodate change should be assessed (with information contained in the Landscape Character Assessment SPD and site visits providing the necessary guidance). Some landscapes may be less sensitive, such as those that are intensively farmed, and should be able to tolerate a wider range and higher (although not unlimited) level of change. Development of polytunnels in such areas would reduce the risk of weakening characteristics considered essential to their definition.

4.25 One of the major objections raised to polytunnel development is the sheer scale of coverage of land in any one area. This often occurs gradually as farmers expand their polytunnel requirements year on year. The effect on the landscape of an area can be significant and therefore the cumulative impact of tunnel developments will be fully considered during the planning application process. Where it is considered that the policies of the UDP that seek to protect landscape character or that on the setting of a settlement (LA3) would be breached by a new polytunnel proposal then it will be refused.

4.26 Encouraging growers to take a 'whole farm plan' approach to planning for polytunnels (see Section 6) would help the local planning authority to assess the potential cumulative impact of a number of closely located applications, in addition to the

Deleted: Draft

Deleted: June



impact of rotating polytunnels on one farm at different stages in the fruit growing process. The idea is to clarify where an applicant can and cannot erect polytunnels and under what restrictions. The 'whole farm approach' is promoted by the local planning authority, particularly during pre-application discussions, or where it is understood that polytunnels are likely to be erected on different parts of a farm at different times and where there are contiguous farms using polytunnels to prevent a large cumulative effect of large blocks of polytunnels. A section on pre-application procedures is set out in Section 6.

Deleted: from year to year or

**SUPPLEMENTARY GUIDELINE 3: CUMULATIVE IMPACT - LIMITS TO POLYTUNNEL COVERAGE**  
[UDP Policies S1, S2, S7, LA1, LA2, LA3 and E13]

The local planning authority will normally seek to secure, via an appropriate legal mechanism (usually a planning condition), a limit as to the total area of an agricultural holding or unit that may accommodate polytunnels.

**SUPPLEMENTARY GUIDELINE 4: LANDSCAPE CHARACTER ZONES**  
[UDP Policies S1, S2, S7, LA1, LA2, LA3, LA5, LA6 and E13]

The local planning authority will normally seek to define distinct landscape character zones upon each agricultural holding or unit and secure, via an appropriate legal mechanism (normally a planning condition), a limit as to the total area of polytunnels within each distinct landscape character zone.

**(c) Landscape - Mitigation**

4.27 Clearly where it is considered by the local planning authority that a polytunnel proposal would cause unacceptable harm to the landscape, it will be refused. However, where it is considered that a development can be made acceptable by limiting the size of polytunnel blocks to break up its total mass or by other mitigation measures this may be reflected in a conditional planning permission. Depending upon the proposal concerned, these mitigation options could include:

(i) *Landscaping/Screening* – a condition could be attached to a planning permission stating that some form of tree planting is necessary to screen the polytunnels. However, in Herefordshire the nature of the rolling topography can often mean that tree screening is not successful in hiding the potential glare of fields of plastic sheeting, since the tunnels are visible from nearby high ground. Similarly, tree screening can be inappropriate in sensitive landscapes where the normal pattern of low vegetative cover (such as maintained hedgerows) may be detrimentally altered if tall trees are used to disguise polytunnel developments. Tree screening, where it is considered appropriate, can provide the opportunity to re-establish historic field patterns; however this can take decades to become truly effective. If it is possible within the business plan for a farm to identify areas where new polytunnels are likely to be required in the next 2/3 years, then potentially planning permissions can be obtained in advance (using the whole farm approach) so that landscaping schemes involving new planting can be implemented before the polytunnels are erected, giving them time to become effective.

Deleted: Draft

Deleted: June

Pre-application consultation with the conservation officers of the Council and their subsequent recommendations should be taken into account and conditions will be imposed on planning permissions as appropriate.

(ii) *Use of non-reflective materials* – some experiments have taken place using different coloured or less- reflective alternatives to the usual type of plastic tunnel sheeting, however, results have proved disappointing due to poor light levels reaching the plants beneath and no marked reduction in the negative impacts of the tunnels' appearance. However, with technology continually developing this situation may change in the future. Planning applicants should ensure that the technical specifications of the tunnels are detailed, including the type of material proposed as a covering to the metal frames.

**SUPPLEMENTARY GUIDELINE 5: LANDSCAPE IMPACT – MITIGATION**  
[UDP Policies S1, S2, S7, DR1, LA1, LA2, LA3, LA4, LA5 and E13]

**The local planning authority will not allow polytunnels to be erected in areas or individual fields that create a significant visual intrusion within the landscape and where their impacts cannot satisfactorily be mitigated by a landscaping scheme comprising indigenous species in the medium term.**

(iii) *Periods of coverage* – when crops do not need to be protected, all polythene should be removed from the metal hoops of the tunnels during these periods of the year to help minimise the visual impacts of the development.

**SUPPLEMENTARY GUIDELINE 6: POLYTHENE REMOVAL**  
[UDP Policies S1, S2, S7, DR1, LA1, LA2, LA3 and E13]

**The local planning authority will normally attach a planning condition to any grant of planning permission ensuring that polytunnels are not covered with polythene during certain period(s) of each calendar year.**

(d) **Listed Buildings, Historic Parks and Gardens, Scheduled Ancient Monuments**

4.28 The erection of polytunnels, construction of reservoirs and other associated works (such as the access roads and hardstandings) are likely to have a significant impact on the landscape and setting of designated and other national or regionally important sites. These impacts will be assessed in accordance with policies LA4, ARCH3 and HBA4 at the pre-determination stage of a planning application and, where appropriate, propose mitigation measures to address any adverse impacts.

4.29 The effect of a development on the character and setting of listed buildings is a particular material consideration in determining planning applications, since there are a plethora of such buildings throughout the Herefordshire countryside. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority to have special regard to the desirability of preserving listed buildings or their settings. The UDP similarly contains policy HBA4 which seeks to protect the setting of listed buildings. Whether or not a polytunnel development would adversely affect such a building should be assessed by a relevant historic buildings/conservation expert, who will provide guidance to the Council to determine

Deleted: Draft

Deleted: June

whether or not impacts are sufficiently detrimental to warrant refusal of an application on these grounds or suggest mitigation measures where necessary.

**SUPPLEMENTARY GUIDELINE 7: SETTING OF LISTED BUILDINGS AND SCHEDULED ANCIENT MONUMENTS**  
**[UDP Policies HBA4 and ARCH3]**

Polytunnel developments that adversely affect the setting of listed building(s) or Schedule Ancient Monument will be not be permitted by the local planning authority.

Deleted: y

**SUPPLEMENTARY GUIDELINE 8: HISTORIC PARKS AND GARDENS**  
**[UDP Policy LA4]**

Polytunnel developments will not be permitted upon a registered historic park or garden nor will developments be allowed that adversely affect their setting. The same approach will apply to unregistered parks and gardens recognised and identified by Herefordshire Council as having local importance.

➤ **HIGHWAY MATTERS**

(a) **Highway Safety and Access**

4.31 The primary cause for concern amongst residents living close to polytunnels is the increase in the number and frequency of lorry movements on narrow rural lanes both during the harvesting season and when the tunnels are erected or dismantled. Some residents, however, state that a high level of HGV movements occurs during most months of the year. Such lorries, particularly large articulated ones, have caused worries over highway safety, noise (especially early in the morning and later in the evenings), damage to highway surfaces and their verges and small narrow bridges over time and the mud and dust in the roads causing hazardous driving conditions. In addition to lorries, there is concern amongst local residents that when fruit pickers are being employed during harvesting, there is also general increase in the number of cars and buses on rural lanes, used to transport employees to the fields, which again is a cause for concerns over highways safety.

4.32 Full consultation should take place with the local highways authority prior to the determination of planning applications to ensure that issues of highway safety are addressed. Where appropriate planning conditions should be imposed as recommended.

4.33 Some large-scale developments may require a Transport Assessment/Study. This will be dependant upon existing and anticipated vehicular movements, including heavy or large vehicles. However, in all other instances applications should be accompanied by a written statement (which could be incorporated in the Design and Access Statement) which addresses the amount and type of traffic to be generated and the adequacy of the local highway network to cater with that traffic both in terms of design and capacity. Other matters such as the adequacy of the vehicular means of access(es) to the application site and the adequacy or otherwise of visibility splays should be addressed.

Deleted: <#>Herefordshire and Gloucestershire Canal  
 4.30 The route of the Herefordshire and Gloucestershire Canal is the subject of long-term restoration project with the aim of re-opening the canal link between Hereford and Gloucester. It is recognised by Herefordshire Council that there are potential recreation, tourism and economic benefits to be gained from the project and the canal corridor has therefore enjoyed planning protection for many years.

↑  
 ↑  
**SUPPLEMENTARY GUIDELINE 9: SAFEGUARDED ROUTE OF HEREFORDSHIRE AND GLOUCESTERSHIRE CANAL**  
**[UDP Policy RST9]** ... [3]

Deleted: It is primarily

Deleted: that is the cause of concern amongst those living close to polytunnels

Deleted: amount

Deleted:

Deleted: large scale

Deleted: Draft

Deleted: June

**SUPPLEMENTARY GUIDELINE 10: HIGHWAY SAFETY**  
**[UDP Policy T8 and S6]**

The applicant may need to demonstrate that the vehicular means of access(es) and the local highway network (in terms of both design and capacity) are adequate to cater with the traffic generation, addressing both numbers and types of vehicles.

Deleted: will

**(b) Public Rights of Way**

- 4.34 The public rights of way service of the Herefordshire Council has a legal duty to assert and protect the rights of the public to the use and enjoyment of any public right of way (PROW) in the county (section 130 Highways Act 1980). In addition, PPG17 states that rights of way are an important recreational facility, which local authorities should protect and enhance. Local rights of way in Herefordshire are part of our heritage and form a major recreational resource. They help boost tourism and contribute to local rural economies, in addition to providing a convenient means of travel. For these reasons the UDP contains a number of policies which are relevant to the assertion and protection of the rights of users of PROWs in the County (S1, S2, DR1, DR2, DR4, E13 and T6). If polytunnels directly affect Public Rights of Way a PROW assessment will be required to accompany the application.
- 4.35 Polytunnels can have significant impacts on public rights of way since they are often located in fields crossed by these access routes. They can affect both the use and enjoyment of a PROW. Over the last few years the Council has received numerous valid reports from members of the public describing the impact of polytunnels on their use and enjoyment of public paths in the County. The main problems encountered are:
- the obstruction of the PROW by polytunnel support frames, plastic sheeting, growing beds, wires and ancillary materials such as boxes, irrigation pipes and sundry tools and equipment;
  - water run-off leading to waterlogged surfaces;
  - the day to day farming operations associated with polytunnel crop production, including heavy and light mechanical vehicles, over spraying with chemicals and water and erecting and removing frames and plastic sheeting;
  - damage to the surface of paths caused by vehicles;
  - the loss of long distance views from a PROW crossing land covered by tunnels;
  - the loss of short distance views available to the public from the PROW crossing land covered by tunnels;
  - the impact on views from a distant PROW over land covered by polytunnels;
  - litter and general mess associated with a labour intensive operation;
  - lack of sufficient toilet and washing facilities for polytunnel workers leading to 'misuse' of adjoining hedges and woodlands;
  - noise and dust associated with increased machinery movement in the area; and
  - the destruction of natural and historic features such as path surfaces, hedgerows and ditches etc.
- 4.36 Mitigation of the impacts of polytunnels on public rights of way is something that developers should take into consideration when seeking planning permission.

**SUPPLEMENTARY GUIDELINE 11: PUBLIC RIGHTS OF WAY**

Polytunnels Supplementary Planning Document 17  
November 2008

Deleted: Draft

Deleted: June

[UDP PolicyT6]

There shall be no polytunnels erected within 2 metres of the centre line of a public right of way and no polytunnels sited within 3 metres of the centre line of a bridleway. These distances are to be taken as minimum requirement and whilst applications will be considered on their merits, issues such as surface water run-off, safety and impact on views will require greater distances.

Deleted: a

4.37 Where distant views over polytunnels are available from a PROW the guidance is as follows:

- Consideration should be given to impacts on both the local tourist economy and on those who choose to live and work in Herefordshire, particularly in designated areas such as AONBs and Conservation Areas.

➤ **RESIDENTIAL AMENITY**

4.38 In areas where polytunnels are erected close to dwellings, local residents are frequently aggrieved by a number of issues which affect their residential amenity, including:

**(a) Negative visual impacts of polytunnels**

4.39 This is particularly problematic when the tunnels are in close proximity to domestic curtilages. It is because the tunnels can be substantial in height; highly visually intrusive because of the white, reflective appearance of the plastic and they usually cover large expanses of land that problems are caused for those living close by. Additionally, the polytunnel frames often remain in place during the winter months over several years and can still have a negative visual impact on the locality.

**SUPPLEMENTARY GUIDELINE 12: REDUNDANCY OF POLYTUNNELS**  
[UDP Policies DR2 and E13]

The local planning authority will attach a condition to any planning permission stating that:

**'In the event of the polytunnels hereby permitted becoming redundant the polytunnels, including the supporting structures and any structures, fixtures and fittings within them, shall be removed from the application site within a period of six months.'**

Deleted: for the growing of \_\_\_\_\_,

**(b) Noise**

4.40 Noise can be created by machinery operations, construction and by wind and rain upon the polythene. It can also be created by an increase in vehicular movements. Those living in close proximity to agricultural polytunnels have indicated that there is an appreciable amount of noise generated through the elements and also by the, often significant, numbers of fruit pickers during the harvesting season. As well as general noise, this can be exacerbated by the use of radios being played at high volume. It is reported to be the case that the majority of such noise occurs during the early hours of the morning and later in the evening when pickers arrive and depart the fields.

Deleted: In addition to noise created by an increase in vehicular movements,

Deleted: t

Deleted: by

4.41 In order to alleviate noise impacts, Environmental Health legislation is the standard control mechanism, however, conditions can also be attached to permissions which

Deleted: Draft

Deleted: June

regulate the times when noise-generating activities can take place. This is particularly relevant if polytunnels are located close to residential properties. In addition to planning conditions, good management can help alleviate potential problems particularly those associated with the playing of music close to residential properties and should be practised by tunnel farmers in order to help maintain respectful relationships with those who live close to the tunnels.

**SUPPLEMENTARY GUIDELINE 13: RESIDENTIAL AMENITY – NOISE**  
**[UDP Policies DR2, DR13 and E13]**

The local planning authority will refuse planning applications that would result in an undue loss of amenity by way of unacceptable noise to the occupiers of residential properties. All polytunnel developments will be expected to include appropriate measures to mitigate noise impact to an acceptable level.

**Deleted:** by either an intensification of use of an existing access resulting from a polytunnel development or a new vehicular means of access.

**(c) Plastic Sheeting (local environmental impacts)**

4.42 There are concerns over the impacts of sections of plastic sheeting coming away from the tunnel frames in high winds and blowing onto adjacent properties and into roads. The plastic can become particularly brittle when it has been used over several seasons due to the effects of sunlight and heat.

4.43 The majority of plastic sheeting used to cover polytunnels is not yet biodegradable and is therefore difficult to dispose of once it needs to be replaced. A typical lifespan for the thicker plastics is up to five years. Since it is in farmers' interests to replace plastic sheeting which is damaged, it is unlikely that planning conditions would be appropriate to regulate when the sheeting is replaced. Conditions could be used to ensure that waste plastic is disposed of promptly and appropriately in accordance with waste regulations to avoid nuisance to the local environment. Similarly if a polytunnel operation ceases for any reason the owner should be made to remove any waste plastic promptly and completely and be suitably recycled in the approved scheme. Whilst burning of plastic is not permitted by regulations, recycling of sheeting is to be undertaken at appropriate facilities.

**Deleted:** Local burning as a form of disposal is not a desirable option since this releases harmful chemicals into the atmosphere; the recycling of sheeting would be a preferable solution.

**(d) Lighting**

4.44 Where artificial lighting either for growing or for security is proposed, this should be kept to the minimum necessary and included within the planning application. There can be adverse impacts on the amenities of those living near to the site as a result of light spillage, which may be mitigated through careful positioning, screening or limitations on brightness.

**SUPPLEMENTARY GUIDANCE 14: EXTERNAL LIGHTING**  
**[UDP Policies DR2, DR14 and E13]**

The local planning authority will normally attach a planning condition requiring the submission for approval of full details of all external lighting (if any) to be installed upon the site (including upon the external elevations of the building(s) or polytunnel(s).

**(e) Proximity to dwellings – Mitigation**

**Deleted:** Draft

**Deleted:** June



4.45 A condition could be imposed stating that polytunnels should not be erected within a certain distance of dwellinghouses, for example 50 metres depending on the scheme in question. Deviations from this general safeguarding distance should only be permitted in exceptional circumstances and where topography and natural screening of the site allows. The distance of 50 metres was used in the Poly tunnel Voluntary Code of Practice.

Deleted: may

Deleted: certain

**SUPPLEMENTARY GUIDELINE 15: RESIDENTIAL AMENITY – DISTANCE FROM DWELLINGS (BUFFER ZONES/ZONES OF TRANQUILITY)**  
[UDP Policies DR2 and E13]

No polytunnels or associated development (works, storage, servicing accesses, toilets etc) shall be sited within a minimum distance of 30 metres of the boundary of any residential curtilage and 50 metres of any dwelling whichever distance is the greater.

4.46 If such a requirement is part of a permission then it will also be made clear through the use of planning conditions that any 'buffer zone' must be kept free from all associated storage, not be used as a vehicular access or for general activities connected with the operation of the tunnel growing or harvesting. This requirement only relates to the associate operations of the polytunnel development. Normal agricultural operations including crop growing and access to fields or crops for management will not be excluded. This is necessary to ensure that the amenities of those living nearby are not detrimentally affected by noise, vehicular activities and adverse visual impacts of the storage of tunnel associated materials. Consultations have revealed that existing buffer zones are kept free of tunnels; however the space is frequently made use of for a range of other activities which impact adversely upon their residential amenities.

Deleted: or 'zone of tranquillity'

**SUPPLEMENTARY GUIDELINE 16: RESIDENTIAL AMENITY – BUFFER ZONES**  
[Policies S2, DR2 and E13]

The local planning authority will normally attach a planning condition ensuring that any 'buffer zones' around polytunnels are permanently kept free from associated storage, are not used as vehicular accesses or for other activities connected with the operation of the polytunnel development. Normal agricultural activities will still be allowed to occur in these areas, as they would do if polytunnels were not present.

Deleted: ZONES OF TRANQUILITY

Deleted: zones of tranquillity

Deleted: tunnel business

4.47 In addition to providing 'buffer zones' around the margins of polytunnel sites where they are close to residential properties, it may also be appropriate to impose conditions relating to the maximum acceptable height of the tunnels in sensitive locations. Tunnel heights can vary significantly depending on the crop being grown and the methods of production. To clarify the maximum permitted height would ensure that residential amenities can be protected.

**SUPPLEMENTARY GUIDELINE 17: POLYTUNNEL HEIGHT**  
[UDP Policies S1, S2, S7, DR1, E13, LA1 LA2 and LA3]

The local planning authority will normally attach a planning condition to any grant of planning permission controlling the height of the polytunnel(s)

Deleted: Draft

Deleted: June

above existing ground level.

➤ **WATER**

Polytunnel development raises huge implications for surface water management, drainage and pollution, flood risk and biodiversity. The severity of these implications can be dramatically reduced by the implementation of practical, common sense measures that could be implemented through the planning process.

**(a) Flood Risk**

- 4.48 The risk of increased surface water run-off is likely to rise with the use of polytunnels because of the impermeable layer that plastic sheeting on a large scale can create. This is similar to the surface water run-off problems created in urban areas by roads and hard surfacing etc. With an increase in run-off, particularly during periods of heavy rainfall, there is often a greater risk of localised flooding. Indeed this problem has already been reported by those living close to existing polytunnel development who consider that the flooding of nearby roads has become a more frequent problem since the tunnels have been erected.
- 4.49 The susceptibility of land to flooding is a material consideration when assessing planning applications. This applies to polytunnels just as it does to other forms of development. Both the Government and the UDP set out the importance that is attached to the management and reduction of flood risk in the planning process, recognising the uncertainties that are inherent in the prediction of flooding and that flood risk is expected to increase as a result of climate change.
- 4.50 It is necessary for the local planning authority to ensure that development in flood risk areas, or elsewhere in catchments, does not create or exacerbate flood risk to other land. For these reasons the UDP states;  
*“...development within land at risk of flooding should generally be avoided, and will only be permitted where no alternative location is available on land at lower risk of flooding and which is otherwise suitable in planning terms... Developments in flood risk areas should result in no net loss of flood plain storage, should not impede water flows and not increase flood risk elsewhere.”* (UDP, paragraph 4.5.7)
- 4.51 The Environment Agency recommends that polytunnels be sited outside any areas at high risk of flooding (as defined in PPS25, i.e. with a 1% annual probability of occurrence) to avoid impact on flood flows and in the interest of preventing flood risk elsewhere. In addition, it is not in most cases considered desirable or practicable for applicants to operate tunnels in these flood prone areas.
- 4.52 Prospective developers are guided specifically by policies DR4 and DR7 of the UDP and the Environment Agency will be consulted on planning applications for larger polytunnel developments or those in areas particularly prone to flooding and their advice taken into account. A flood risk assessment may be needed in accordance with the requirements of Government planning guidance on flooding provided in PPS25. (See Section 5 for more information on Flood Risk Assessments).

**SUPPLEMENTARY GUIDELINE 18: FLUVIAL FLOODPLAINS**  
**[UDP Policy DR7]**

Polytunnels Supplementary Planning Document 21  
November 2008

Deleted: Draft

Deleted: June



No polytunnels shall be sited within the fluvial floodplain (i.e. the 1% plus climate change fluvial floodplain extent).

(b) **Surface Water Drainage and Water Quality/Pollution Prevention**

4.53

1. Active water management is required as mitigation to prevent harm to existing watercourses, ecological assets, soil erosion and wherever possible create new benefits. In general terms the slowing up of water before it enters watercourses is a principle to be followed. The use of sustainable drainage systems (SuDS) slows water flow and filters out nutrients and sediment before it enters the watercourses.
2. Mitigation management measures would be:
  - Providing surface water attenuation such as storage tanks, lagoons or farm storage reservoirs.
  - Discharging from surface water attenuation at greenfield discharge rate.
  - Discharging into existing drainage ditches or constructing them where they do not exist so there is a logical flow into the greater river system.
  - Constructing drainage channels/tile drains/French drains etc as necessary so that surface water run-off from polytunnel development is captured effectively and directed into attenuation lagoons.
3. Applicants are advised to carefully consider the location of polytunnels in their proposals in respect to the proximity of all watercourses/water features and incorporate appropriate attenuation measures and pollution prevention. The risk of pollution and detriment to habitat can be minimised by careful siting of structures and management of drainage and irrigation water to minimise soil erosion and nitrification of waters. Applicants are also advised to include allowances for increased rainfall and the effects of climate change in their proposals. All such information will also need to be provided to the Environment Agency as an environmental report.

**Deleted:** Mitigation measures will often play an important role in schemes for polytunnel development. Careful active management of surface water run-off can often be highly beneficial, including the use of drains and gulleys that allow water to be diverted into watercourses (where it could be used for crop irrigation) and other sustainable water management techniques or the erection of polytunnels so that they run parallel to the natural contours of a field, rather than at right angles to them, thus potentially slowing down the flow of rainwater run-off down slope with the result of reducing the possibility of flooding on adjacent lower lying ground.

**Formatted:** Bullets and Numbering

**SUPPLEMENTARY GUIDELINE 19: SURFACE WATER DRAINAGE**  
**[UDP Policy DR4, DR6 and DR7]**

A Flood Risk Assessment will be required for all developments over 1 hectare, which should address surface water run-off. Any such drainage report should consider restricting run-off to the Greenfield rates and detail what attenuation is to take place designed to the 1% with climate change standard (Annex B2 PPS25) to prevent flood risk along with how the polytunnels are designed to prevent run-off and erosion issues and pollution of the water environment.

(c) **Water Resources**

4.54 Policies DR4 and DR6 of the UDP provide guidance on the need to protect the availability and quality of water resources. Water is an essential resource, the

**Deleted:** Draft

**Deleted:** June

Polytunnels Supplementary Planning Document 22  
November 2008

pollution of which can have serious effects on drinking water supplies (including private water supplies) and ecology. Inappropriate agricultural activities can be a risk to both surface and groundwater quality and quantity. In particular, groundwater requires particular protection from both contamination and over-exploitation. The availability of groundwater can be affected by changes in land use such as the increased use of large-scale agricultural polytunnels, which may restrict recharge through increases in impervious surfaces or the diversion of flows. Groundwater forms part of the base flows of watercourses and is vital to ensure the dilution of discharges, maintenance of water supplies and biodiversity. Both water efficiency and water neutrality (betterment) are key elements of the Government's climate change (reduction) agenda.

- 4.55 In some parts of Herefordshire there are issues surrounding 'low flows' of local rivers (information is based on the Environment Agency's Catchment Abstraction Management Strategies (CAMS)), such as the potential loss of flora and fauna and changes in species distribution. Whilst many existing polytunnel businesses and applicants for new polytunnel planning permissions either already use or seek to use trickle irrigation methods, this form of irrigation is currently exempt from requiring an Environment Agency water abstraction licence. However, the Water Act 2003 ends this exemption and will bring trickle irrigation into the licensing system. It is expected that these new controls will not be implemented by the Environment Agency before October 2008 at the earliest.
- 4.56 The Environment Agency does, however, seek detailed information on proposed water use and water management from prospective polytunnels developers, hence these are material considerations in determining whether or not to grant planning permission. This is particularly important in the context of both low flow problem areas and where there may be a potential detrimental impact on the water environment of SSSIs and SACs, as well as Special Protection Areas (SPAs) and Ramsar Sites (such as sedimentation, pollution or adverse impacts on biodiversity). In the case of SAC/SPA/Ramsar sites it may also be necessary for applications to include a Habitats Regulations Assessment (HRA) in line with the EC Habitats Directive (1992).
- 4.57 Planning applications for polytunnels on a significant scale (on sites of 1 hectare or more) should therefore detail the proposed water use in the context of the catchment area and water management techniques through the production of a detailed Water Resources Study/Audit. In cases where small scale polytunnels are not proposing to use water irrigation from low flow rivers or in areas away from SSSIs or SACs then a brief statement of water use and efficiency techniques could suffice. (For more information on Water Resources Studies and Audits see Section 5).

➤ **BIODIVERSITY**

- 4.58 Since the effects on the biodiversity of an expanse of polytunnels, (including effects of irrigation techniques, soil sterilisation, loss of habitat and chemical usage) are not always apparent; any planning application for polytunnels should include an ecological survey/analysis. This should include plans for the protection and enhancement of the biodiversity of the area and proposals for mitigation techniques, in line with the guidance provided in PPS9. Reference should also be made to Herefordshire Council's Biodiversity SPG and Local Biodiversity Action Plan (LBAP). Further advice on ecological assessments is provided in Section 5.

4.59 The way in which land is reinstated following the cessation of polytunnel use on an area of land is critical in terms of both biodiversity and visual impact. During the assessment of a planning application, the local planning authority will need to be satisfied that there has been detailed consideration of high quality land reinstatement and even improvement of the natural environment. The imposition of a planning condition regarding reinstatement may be deemed necessary if planning permission is granted for the development in question.

**SUPPLEMENTARY GUIDELINE 20: ECOLOGY**  
**[UDP Policies NC1, NC2, NC3, NC4, NC5, NC6, NC7, NC8 and NC9]**

**The local planning authority will need to be satisfied that the habitats of protected species (if any) are protected or mitigated.**

**SUPPLEMENTARY GUIDELINE 21: ECOLOGY**  
**[UDP Policies NC1, NC2, NC3, NC4, NC5, NC6, NC7, NC8 and NC9]**

**The local planning authority will seek the creation, restoration and enhancement of habitats.**

➤ **ARCHAEOLOGY**

4.60 The development of polytunnels and associated works such as the installation of irrigation systems (reservoirs, pipes etc) and the creation of access roads and hardstanding areas has the potential for impacting on archaeological deposits and other historic environment interests. It will be important to assess the impact of such proposals in line with policies ARCH3, ARCH4, ARCH5 and, where appropriate, carry out pre-determination investigation (ARCH1) or post-determination recording (ARCH6).

4.61 Reservoirs are particularly intrusive elements of a polytunnel development in relation to the historic environment due to the scale of the earthmoving operations involved and the permanency of the created feature. Careful design of reservoirs will be required to mitigate their impact on the landscape and historical features.

4.62 Any associated ground works such as surface water drainage and sustainable drainage systems will be expected to follow the requirements and guidelines set out in the Councils Archaeology and Development SPD.

Deleted: Draft

Deleted: June

## SECTION 5: PLANNING APPLICATION REQUIREMENTS

Deleted: ADDITIONAL INFORMATION

5.1 In order for a comprehensive planning assessment to be made by the local authority when a planning application is submitted for consideration, it may be necessary for the applicant to supply additional information. This is particularly the case if the application is for large-scale development or where the development site is located in a sensitive area. Pre-application discussions should take place with a development control officer prior to submission to ascertain what additional documentation may be deemed necessary. Applications for planning may fail due to lack of sufficient evidence. Details as to the requirements of a planning application to ensure that it is a valid application can be found in the Council's 'Planning Application Requirements' document available on request or on the Council's website.

5.2 In addition to the standard requirement of six copies of application forms, appropriately scaled and detailed plans, elevations and requisite fee, the following additional information may be required:

Deleted: four

### DESIGN AND ACCESS STATEMENTS

5.3 Any new development will require an overall design concept to be submitted based on survey and analysis data to establish a framework for the detailed design of the scheme. This will assist in assessing the application against the Council's design policies and objectives. Proposals for larger polytunnel developments should explain the principles that have been adopted for the site and its wider context. An annotated plan should be submitted with a planning application showing the site's relationship with the surrounding pattern and form of land uses and activities, landscape, key characteristics and features.

5.4 Relevant adjacent development, particularly if there are existing polytunnels, access to the site, all vehicular and pedestrian movements, natural features including watercourses, hedgerows, trees and any wildlife habitats, views into and out of the site, on-site structures and the form and condition of site boundaries should be addressed.

5.5 Where relevant to the proposal, full planning applications for complex or large-scale polytunnel schemes or those which are proposed in sensitive areas should be accompanied by a design statement containing a site appraisal and written explanation. A design statement would typically include the following:

- design principles and design concept;
- how these are reflected in the layout, scale, visual appearance and landscape;
- how the design relates to its site and wider area, including how the development has been planned to minimise the effects on the environment; and
- a summary of the above where this would be of value in public consultation.

5.6 Transportation matters should be addressed, including detail of the amount of traffic generated (both hourly and daily) and its type together with an assessment of the adequacy of the local highway network to cater with the traffic generated in terms of both design and capacity. Means of vehicular access(es) to the site, together with the proposed visibility splays will need to be provided.

Deleted: Draft

Deleted: June

## LANDSCAPE OR VISUAL IMPACT ASSESSMENTS

- 5.7 All applicants will be expected to fully address the landscape impacts of a polytunnel proposal, both individually and in the context of other similar developments within visual proximity of the proposal site.
- 5.8 A landscape impact assessment will be necessary for the vast majority of planning applications since it is the potential harm to the landscape of an area which is one of the key planning considerations in such schemes.
- 5.9 There are numerous publications available which describe various techniques available to identify and assess the landscape and visual effects of development or change. The aforementioned Landscape Character Assessment SPG, is a key document. It is now generally recognised that The Landscape Institute of Environmental Management and Assessment *Guidelines for Landscape and Visual Impact Assessment* (2<sup>nd</sup> Edition, SPON Press) is the definitive work in this field, as is Natural England's Joint Character Areas, available online at <http://www.countryside.gov.uk/LAR/Landscape/CC/jca.asp>.

Deleted: .

## ECONOMIC ASSESSMENTS

- 5.10 Economic arguments as discussed in section 4 above are often technical ones and in order for the local planning authority to assess their validity and importance adequately, they must be set out in robust manner which is fully evidenced. To simply include in the information accompanying a planning application a set of broad statements will not be acceptable.
- 5.11 In instances where the polytunnels proposed are on a small scale (sites that are less than 1 hectare), a simple business case may suffice. It is important to clarify requirements with a development management officer prior to the submission of a planning application. The more economic information that can be provided, the better the understanding of an applicant's business venture and associated business case, and its likely impact of the local economy. Appendix 1 provides some helpful background questions which an applicant is encouraged to answer:
- 5.12 A comprehensive economic impact assessment or appraisal should be submitted alongside proposals for large-scale polytunnel schemes. Again, it is essential to discuss the proposal with a development management officer prior to submission of an application.
- 5.13 In respect of the potential impacts of a large-scale polytunnel development in the AONB, the applicant may find it appropriate to submit a balance sheet analysis of the economic issues and the wider relationship between agriculture and other interests. This would establish the relative contribution of each to the local economy.
- 5.14 Appendix 2 sets out an example of the components of a balance sheet analysis, which could be used to outline how such a study might be structured<sup>11</sup>.
- 5.15 Since it is likely that such in depth economic analyses are likely to be very costly, it may be useful for large-scale growers who anticipate that they will be required to

Deleted: an officer of the planning – development control department

Deleted: planning officer

Deleted: Draft

Deleted: June

<sup>11</sup> Source: An Investigation into Polyunnel Development in AONBs and National Parks – The Countryside Agency, January 2006, Entec UK Limited

submit such detailed planning applications in the future to work together to produce an economic assessment analysis, thereby reducing costs and avoiding unnecessary duplication of work. This could be particularly relevant in Herefordshire where there are a number of large-scale soft fruit producers in one county. Where a proposal site does not fall within a designated landscape area, it may still be necessary to undertake a similar balance sheet analysis, since the high quality of landscapes throughout the County is one of its primary assets that is afforded specific protection through the UDP.

## FLOOD RISK ASSESSMENTS

- 5.16 In areas particularly prone to flooding and in respect of planning applications for larger polytunnel developments (sites of 1 hectare or more), the Environment Agency will be consulted. A Flood Risk Assessment may be necessary in accordance with the requirements of PPS25. Where such a Flood Risk Assessment is deemed necessary, it should be appropriate to the scale and nature of the development and should consider:
- (f) flood risk and surface water run-off implications;
  - (g) any increase risk arising elsewhere;
  - (h) measures proposed to deal with these risks and effects, e.g. restricting run-off to the Greenfield rates;
  - (i) explaining what attenuation measures are in place designed to the 1% with climate change standard (annex B2 PPS25) to prevent flood risk; and
  - (j) how the polytunnels are designed to prevent run-off and erosion issues.

## WATER RESOURCES STUDIES/AUDITS

- 5.17 Planning applications for polytunnels on a significant scale (sites of 1 hectare or more) should detail the proposed water use in the context of the catchment area and water management techniques through the production of a detailed Water Resources Study/Audit. The Water Audit could include the identification of a number of water efficiency measures such as, for example;
- rainwater harvesting from water run-off from the polytunnels and/or re-circulation programmes, and
  - the use of buffer zones around polytunnels to help prevent chemical leaching into streams and nearby watercourses.

This Water Audit will be looked at in detail by the Environment Agency, as part of the application for approval.

- 5.18 In cases where small scale polytunnels, not proposing to use water irrigation from low flow rivers or in areas away from SSSIs or SACs, a brief statement of water use and efficiency techniques could suffice.

## ECOLOGICAL APPRAISALS/NATURE CONSERVATION ASSESSMENTS

- 5.19 A wildlife habitat survey carried out by a suitably qualified and experienced ecologist and at an appropriate time of year will be required where a proposal affects a site which is known to have, or is suspected to have, any species protected under the Wildlife and Countryside Act 1981, Conservation (Natural Habitats etc) Regulations 1994 or Protection of Badgers Act, 1992. This will include badgers, bats, certain

Polytunnels Supplementary Planning Document 27  
November 2008

Deleted: Draft

Deleted: June

reptiles and breeding birds. Should habitats or species of significance be identified, further assessment will be required to determine the impact of the development on the wildlife and proposed mitigation to minimise the impact. Applications for the development in the countryside which affect sensitive areas which must be accompanied by ecological assessments and include proposals for long-term maintenance and management.

5.20 The following list should enable potential applicants to satisfy the expected level of detail required as part of a tunnel application:

- A records centre search and, extended phase 1 habitat survey, conducted at an appropriate time of year and including an assessment of the presence of protected species and, or the potential of the habitats present to support protected species must be submitted with the application. This should include maps showing phase 1 habitats present, distribution of species and the location and type of existing and proposed polytunnels. Any potential impacts on these features should be identified (Note – information on badgers, if present, should be submitted in a separate confidential report.
- Further protected species surveys at an appropriate time of year will be required for any protected species that have potential to be present or have been found. Pre-application discussion with the County ecologist is recommended to ensure clarity in regard of survey and assessment requirements. A Natural England license is required for any development that would affect a European Protected Species. In addition to protected species, the presence of any priority habitats or species and LBAP habitats and species should also be identified along with any potential impacts.
- Any European sites such as Special Area of Conservation (SAC) or Special Protection Area (SPA) or nationally designated sites such as Sites of Specific Scientific Interest (SSSIs) within a minimum of 2km of the proposal should be identified along with any potential impacts upon them. Natural England and the Environment Agency must be consulted as to the need for Habitat Regulations Assessment where a SAC or SPA may be affected. Any locally designated sites of wildlife or geological importance must be identified along with any impacts on them. The assessment must identify and describe potential development impacts likely to affect the species and, or their habitats identified (these should include direct and indirect effects both on-site and off-site during site preparation, construction and subsequent working practices). Where harm is likely, evidence must be submitted to show:

  - How alternative designs or locations have been considered;
  - How adverse effects will be avoided wherever possible;
  - How unavoidable impacts will be mitigated or reduced;
  - How impacts that cannot be avoided or mitigated will be compensated.
- In addition, in accordance with the local authority's duty under Section 40 of the Natural Environment and Rural Communities Act (2006) and PSS9 – Biodiversity and Geological Conservation, proposals that will enhance, restore or add to biodiversity interests will be welcomed. This could include provision of bird and bat boxes/tubes as well as the planting of native species within landscaping schemes and restoration of habitats.

**Deleted:** An ecological assessment of the site in the form of an

**Formatted:** Bullets and Numbering

**Deleted:** Nearby designated sites should be identified along with any potential impacts upon them. Natural England and the Environment Agency will be consulted as to the need for Appropriate Assessments where a Special Area of Conservation (SAC) may be affected.

**Formatted:** Bullets and Numbering

**Deleted:** Further protected species surveys at an appropriate time of year and following Natural England (or other approved) guidelines will be required for any protected species that have potential to be present or have been found.

**Formatted:** Bullets and Numbering

**Deleted:** Draft

**Deleted:** June



- The retention of existing trees, hedgerows and other biodiversity features on the site should be sought. A tree survey in accordance with BS5837:2005 Trees in relation to Construction may be required. Pre-application discussion with the County ecologists is recommended to ensure clarity in regard of survey and assessment requirements.
- Opportunities for creation of BAP habitats where appropriate.
- All proposals will require compliance with Herefordshire Council's UDP policies for nature conservation (NC1-NC9) and Government Guidance. (See Herefordshire Council's Biodiversity SPG for further information).

**Deleted:** An assessment of the impact of the tunnels and associated working practices upon habitats and protected species. Strategies will be required to mitigate and compensate for any impacts.

**Deleted:** and also opportunities for biodiversity enhancement within the proposals

**Deleted:** This could include provision of bird and bat boxes/tubes as well as the planting of native species within landscaping schemes and restoration of habitats.

**Deleted:** C

## STATEMENT OF COMMUNITY CONSULTATION

5.21 Since many proposals for large-scale polytunnel development are likely to produce significant public interest or controversy and can often affect the amenities of nearby residents, where this is likely to be the case, it is advised that the applicant enter into early discussions with Parish Councils and local people in order to discuss any potential problems and solutions before planning permission is sought. Sometimes this will also involve important consultees such as the Environment Agency, Natural England and the Council's traffic manager. Planning officers will, at this early stage, advise applicants if their proposals are likely to be considered 'significant' and therefore need to be the subject of specific community involvement measures. This advice is contained formally within the Council's *Statement of Community Involvement*.

**Deleted:** iron out

**Deleted:** English Nature

5.22 At the application stage, a statement of community consultation should be submitted to the local planning authority detailing how the applicant has approached this and what the outcomes were. This will assist the passage of the application through the planning process.

## OTHER INFORMATION

5.23 In addition to the aforementioned documents, there may be a variety of other studies or assessments that may need to accompany certain planning applications depending on their scale and location. The Council's development control officers will be able to discuss such requirements with potential applicants on a case-by-case basis. It is therefore important for potential developers to engage in pre-application discussions. The following lists sets out the majority of possible additional information that may be required:

**Deleted:** assessments which

**Deleted:** case by case

- Draft Travel Plans
- Legal Agreements
- Sustainability Appraisal
- Listed Building or Conservation Area Appraisal
- Archaeological Assessment
- Environmental Impact Assessment (EIA)
- Noise Assessment
- Public Rights of Way Assessment
- Transport Assessments

**Formatted:** Bullets and Numbering

**Deleted:** Draft

**Deleted:** June



## SECTION 6: PRE-APPLICATION PLANNING GUIDANCE

### TEMPORARY PLANNING PERMISSIONS

- 6.1 During the consultation process of producing this document, it was suggested that permanent planning permissions should not be permitted for polytunnels. Instead permissions could be granted on a temporary basis; meaning that there would be some certainty about how long polytunnels would be located in any particular field. This argument, however, is one that is not straightforward.
- 6.2 Where polytunnels are required for the production of ground grown crops to be rotated on a predetermined regular basis, for example every three years, then it may be reasonable for a time limited planning permission to be granted. Indeed, granting permission for three or four years would provide some certainty to those living or working nearby that the tunnels would not be a permanent feature of the landscape.
- 6.3 However, the lifespan of a crop varies according to crop type and variety. Some strawberries may be re-established after three years, whereas raspberries and cherries will remain in situ for much longer. Therefore any rotation periods must take into account the needs of the crop. To grant permissions limited to two or three years would therefore not be appropriate to the needs of growers, particularly as future crop breeding will improve the productive life of many plant types. In addition, it may not be economically viable for polytunnels and associated infrastructure to be developed for only a short time, then subsequently removed. When an application for planning permission is received, it should be made clear by the applicant that if the tunnels are only required in certain positions for a limited period, then an appropriate time limited planning permission can be considered.

### PRE-APPLICATION DISCUSSIONS

- 6.4 It would assist both potential applicants and the local planning authority if a tiered planning approach is taken to large scale polytunnel developments. This would highlight any significant issues at an early stage in the process and identify the likely viability of an application and the required additional information. This would reduce the likelihood of a significantly adverse impact case coming to the application stage, thus reducing workload pressures within the local planning authority and unnecessary expenditure on the part of the applicant.
- 6.5 The following steps outline the most appropriate way to approach polytunnel development proposals that require planning permission:
1. Pre-application assessment and informal discussion to highlight significant issues and guide what additional information will be required.
  2. A checklist of what information is required for the planning application based on the initial assessment drawn up by the case office in conjunction with the applicant.
- 6.6 It should be made clear during pre-application discussions that although such an assessment will highlight significant issues relating to the proposal it might be

Deleted: Draft

Deleted: June

necessary to carry out further assessment work to inform the determination, depending on the scale, location and nature of the proposal.

## WHOLE FARM PLANS

- 6.7 Whilst applicants have the right to apply for planning permission on the basis of each individual polytunnel or each individual field, it is the view of the local planning authority that it would be preferable for applications relating to large agricultural holdings to be presented as a 'whole farm' application. Such applications ensure a holistic approach rather than a piecemeal approach and give certainty to both the applicant to plan the business and the local community as to the longer-term environmental impacts.
- 6.8 The most appropriate way to approach this matter is for applicants to engage with the local planning authority in pre-application discussions to establish the planning constraints. The applicants would then need to engage with officers of the Council, the local community and other bodies (e.g. Environment Agency) to address the identified planning constraints. A sieve-map analysis can then be created whereby one can attempt to agree where upon the holding polytunnels should not be sited (if anywhere). This would normally then leave less sensitive area(s) where polytunnels could potentially be sited. However, this does not mean that all such areas should be covered due to the issue of cumulative landscape impact highlighted earlier within this SPD.
- 6.9 Whole farm plans can be useful on farms where crop rotation methods are employed. Usually if planning permission is granted on a field by field basis, then each time the polytunnels (plastic and frames etc) are removed the grower will have to re-apply for planning permission to re-erect them in a few years' time. However, if a whole farm plan planning permission is granted then removal and re-erection of tunnels will not require repeat planning permissions so long as the land in question was appropriately zoned as part of the original permission. This approach is helpful to both nearby homeowners and to growers since it will provide both certainty as to where polytunnel are to be erected and give the grower the opportunity to formulate longer term business plans for the farm holding.
- 6.10 Attached, as Appendix 3 is a copy of a Committee Report in relation to a 'whole farm' planning application at Withers Farm north of Ledbury, where a sieve-map analysis was undertaken.

## APPENDIX 1: ECONOMIC CRITERIA – BUSINESS CASE

### Polytunnel Business Case – Economic Criteria

<b>1.</b>	<b>Estimated acreage?</b>
<b>2.</b> 2a. 2b. 2c.	<b>Estimated tonnage to be grown?</b> Likely market destinations? Use of local hauliers? Source of packaging?
<b>3.</b>	<b>Gross value added – estimated market value of crop?</b>
<b>4.</b> 4a. 4b.	<b>Approximate numbers of people to be employed?</b> Hourly rate x hours per week x number of weeks? Weekend working?
<b>5.</b>	<b>Fulltime/seasonal worker split?</b>
<b>6.</b> 6a. 6b. 6c. 6d. 6e.	<b>Local/Migrant worker split?</b> Age group targeted? Single/Accompanied by partner and/or children? Likely accommodation provision and location? Nearest shops? Likely use of public transport?
<b>7.</b> 7a. 7b. 7c.	<b>Will any other supporting infrastructure need to be built?</b> If so, what? Likely estimated cost? How would you identify a contractor for the work?
<b>8.</b>	<b>What would the land be used for if not under polytunnels?</b>
<b>9.</b>	<b>Likely impact on existing business, if project not proceeded with?</b>

## APPENDIX 2: ECONOMIC BALANCE SHEET ANALYSIS

### Suggested Components of a Balance Sheet Analysis of the Impact of Polytunnels on a Protected Landscape

**Aim:**

To establish the costs and benefits associated with large-scale polytunnel development in a protected landscape.

**Objectives:**

1. to determine the contribution of agriculture and tourism to a locality
2. to determine the economic benefits for agriculture attributable to polytunnel use
3. to determine the tourism uplift attributable to the presence of a particular landscape without polytunnels

**Method:**

- Literature review
- Establish economic baseline for both tourism and agriculture (specifically horticulture and polytunnels) – ONS, local authority data etc.
- Survey tourist authorities/boards/local authority tourism departments applicable to AONBs
- Perform a 'balance sheet' analysis using figures identified, interpolating where appropriate.

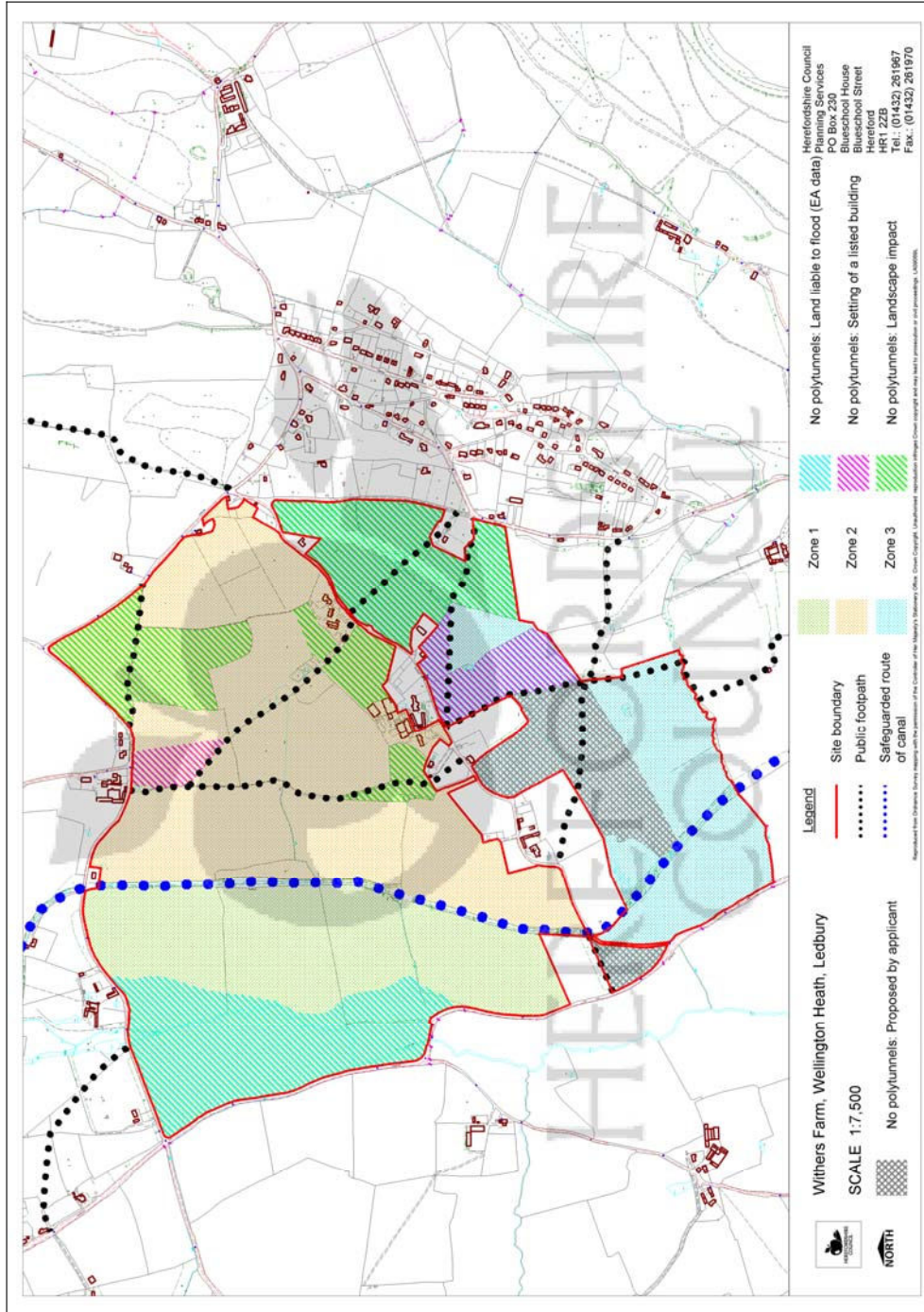
**Key Study Considerations:****AGRICULTURE:**

1. Economic uplift attributable to polytunnels – production, labour force etc.
2. National vs. local benefit
3. Growth potential
4. Contribution of polytunnels to local rural economy

**LEISURE AND TOURISM:**

1. Actual and potential leisure and tourism uplift attributable to AONB designation. Establish the baseline position: GDP, trends, number of tourists, number of employees, role in rural economies and visitor surveys of reasons for visits.
2. Is the attractiveness of the AONB based purely on visual quality? Landscape may be just one factor. There are wider considerations such as: season/weather, choice (competing locations) and state of the economy.
3. Indicators of the impacts of polytunnel development in AONBs:
  - number of visitors
  - number of return bookings recorded by B & Bs, hotels, guest houses etc
  - people active in local tourist economy
  - day trip vs. overnight stays
4. Growth potential
5. Market niches

# APPENDIX 3: EXAMPLE OF WHOLE FARM, SIEVE-MAP ANALYSIS



Appendix 3 - 1

It is the first part of this statement that is most pertinent to the issue of polytunnels, i.e. does the erection of a polytunnel constitute a 'building operation'? The answer to this question is found not in legislation, but in caselaw. Essentially, three tests have emerged from previous key cases, known as Cardiff Rating<sup>1</sup>, Skerrits of Nottingham<sup>2</sup> and the Brinkman<sup>3</sup> cases. These tests are:

Size – a building is most usually something that is constructed on-site rather than being bought ready made.

Permanence – a building is characterised by a physical change of some permanence.

Physical attachment – for example; foundations. Method of fixing to the ground is considered as inconclusive in itself, but can influence the other two factors.

2.4 It must be noted that these tests are not exhaustive and the cases do not provide legal binding authority. The law has therefore been open to some interpretation. However, generally if a polytunnel proposal is of a significant size, combined with a significant degree of permanence in terms of the fixing to the ground (concrete foundations or other fixings), then development is viewed to have taken place. Planning Inspectors have historically appeared to have been consistent in their application of the three tests of size, permanence and physical attachment.

In order to help simplify the question of whether or not a certain polytunnel development will require planning permission, the following flow chart can be used. Whilst there may be occasional examples of polytunnels that do not require planning permission (e.g. genuinely very small cloches for a single season upon an allotment), the majority of polytunnels normally utilised by commercial soft fruit growers in the county do represent development. However, each case should be treated on its merits and the three tests of size, degree of permanence, and physical attachment to the ground should continue to determine whether or not they constitute 'development' requiring planning permission.

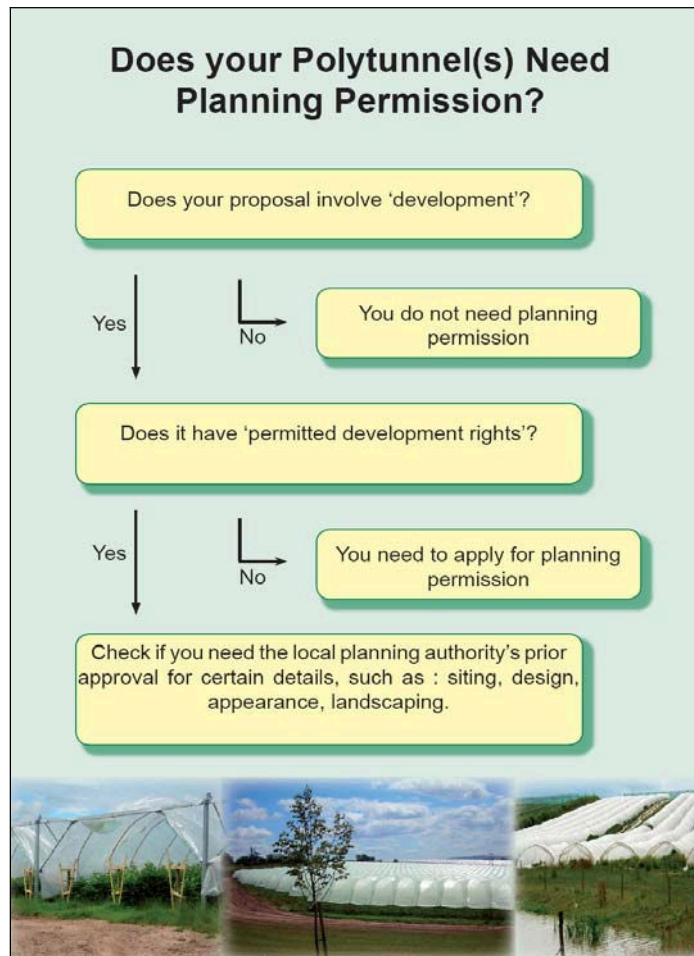
2.7 Where an agricultural polytunnel is assessed and subsequently considered to constitute 'development', then the local planning authority will need to determine whether it falls within the definition of 'permitted development' under the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (known as the GPDO).

In some circumstances, certain developments (such as agricultural operations) are allowed to take place without the need to apply for planning permission. In such cases the statutory planning system provides for what is known as 'permitted development', in certain strictly set out situations, as defined in the GPDO. The following electronic link provides detailed guidance on this legislation:  
[http://www.opsi.gov.uk/si/si1995/Uksi\\_19950418\\_en\\_1.htm](http://www.opsi.gov.uk/si/si1995/Uksi_19950418_en_1.htm)

<sup>1</sup> Cardiff Rating Authority v Guest Keen Baldwin's Iron and Steel Company Limited [1949] 1 KB 385

<sup>2</sup> Skerrits of Nottingham Limited v Secretary of State [2000] 2 PLR 102

<sup>3</sup> Brinkman Brothers Limited v Chichester District Council T/APP/X/98/L3815/003017/P6



#### Herefordshire and Gloucestershire Canal

- 4.30 The route of the Herefordshire and Gloucestershire Canal is the subject of long-term restoration project with the aim of re-opening the canal link between Hereford and Gloucester. It is recognised by Herefordshire Council that there are potential recreation, tourism and economic benefits to be gained from the project and the canal corridor has therefore enjoyed planning protection for many years.

#### **SUPPLEMENTARY GUIDELINE 9: SAFEGUARDED ROUTE OF HEREFORDSHIRE AND GLOUCESTERSHIRE CANAL [UDP Policy RST9]**

**No polytunnels shall be erected within the safeguarded route of the Herefordshire and Gloucestershire Canal.**





## DEVELOPMENT CONTROL: HALF ANNUAL REPORT FOR 2008/09

**Report By: Head of Planning Services**

### Wards Affected

County-wide

### Purpose

1. To inform members about Development Control performance for the first 6 months of 2008/09

### Financial Implications

2. None.

### Background

- 3 The purpose of this report is to set out a summary of the Development Control Team's achievements so far in 2008/09. This report is intended for use as a reference document to inform Members of current trends in Development Control and continues the sequence of 6-monthly reports to the Planning Committee.

This report is quite different from the Annual Monitoring Report, which is prepared by the Forward Planning Team as a statutory requirement under the new regulations for the Local Development Framework.

### Principal Outputs

These are grouped under four headings:

- A. Pre-application Enquiries
- B. Planning Decisions made
- C. Appeals
- D. Enforcement

#### A. Pre-application Enquiries

4. The Team continues to deal with over 2,000 pre-application enquiries annually. Some of the enquiries are relatively trivial but some took nearly as long as a planning application itself to deal with. Where there has been a formal exchange of correspondence the details are recorded on the MVM database. Additionally, over 1000 e-mail enquiries have been made to the [planningenquiries@herefordshire.gov.uk](mailto:planningenquiries@herefordshire.gov.uk) e-mail address. These were previously dealt with by the Planning Receptionists at Blueschool House, but they are now dealt with by planning officers in the "Back office". Pre-application enquiries will be an increasing area of work following the introduction of Planning Application Requirements (Local) and the new 1-APP application form and

related processes as reported to the Committee on 29<sup>th</sup> February 2008. Active consideration is being given to schemes for charging for pre-application advice.

**B. Planning Decisions Made**

5. National Indicator 157 (which replaced the former Best Value performance indicator 109 in April) is the most widely reported statistic directly related to planning applications. The out-turn for the first 6 months of 2008/09 is as follows:.
6. The out-turn figures for the past three years and the first 6 months of 2007/08 are as follows:

<b>Table 1 – National Indicator 157 – determination of planning applications</b>					
<b>NI 157 figures</b>	<b>Target</b>	<b>2005/06</b>	<b>2006/07</b>	<b>2007/08</b>	<b>2008/09 (first six months)</b>
Major applications %age determined in 13 weeks	60%	61%	75%	68%	60%
Minor applications %age determined in 8 weeks	65%	74%	83%	80%	71%
Other applications %age determined in 8 weeks	80%	82%	91%	89%	86%

7. Difficulties in maintaining performance against these indicators have arisen as a result of the introduction of the 1-APP standard application form, the Planning Application Requirements (Local), the new Planning Obligations SPD and the fee increases in April which all put significant strain on the ability to deal efficiently with planning applications especially at pre-application and registration stages. The slump in building activity over the summer (which continues) has also had the effect of reducing the overall number of planning applications, especially major applications, which has had the further effect of reduced fee income and reduced performance against the “Major applications” target – because the majority of major applications still on hand are the ones subject to delays anyway. However, notwithstanding those difficulties, performance has been maintained against the national minimum targets.
8. The Planning Delivery Grant has now stopped and is being replaced by a Planning and Housing Delivery Grant. Development Control performance is no longer rewarded financially for meeting targets. However, failure to meet the minimum national targets may result in other grant money available being abated. It is therefore important that at least the minimum national targets continue to be achieved.
9. The introduction of the Planning Obligations SPD has had the effect of increasing significantly the number of planning permissions granted which are associated with such agreements. Since the policy came into effect in April a total of 22 planning permissions have been issued which are linked to Section 106 agreements. Those agreements, in turn, have a cumulative total of nearly £2 million of income. However, none of that income has been received yet because payments are triggered at commencement of development and one effect of the current economic downturn is that building commencements have reduced significantly.

**Delegation**

- 10. The percentage of applications determined under delegated powers has remained constant for the past four years at around 88%. The delegation rate has remained the same for the first six months of 2008/09.

**Recommendations**

- 11. Planning Committees do not always follow recommendations. In work with other local planning authorities the Audit Commission has used two thresholds of concern; both measuring the number of applications determined contrary to Officer's recommendation as a percentage of decisions on all applications (delegated and committee):  
 Upper threshold 2%  
 Lower threshold 0.5%  
 Performance outside these two thresholds would be a matter of concern.

- 12. The trend over the past three years is summarised in the table below:

2005/06	1.2%
2006/07	2.1%
2007/08	2.4%
2008/09 (first 6 months)	1.3%

**C. Appeals**

- 13. The Authority's success rate with planning appeals was a national Best Value Performance Indicator and does not feature in the new National Indicator Set or in the Herefordshire Partnership's LAA. However it is maintained as a local indicator as it effectively serves as an external validation of the Council's decisions on planning applications.

Year	Appeals allowed	Total Appeals determined	% allowed
2005/06	28	104	27%
2006/07	22	102	22%
2007/08	32	88	36%
2008/09 (first 6 months)	17	43	40%

- 14. The national Average performance against this BVPI has remained steady at around 33%.
- 15. The out-turn shown in the above table is a very serious drop in performance compared with previous years. The Council had an exemplary appeal success rate in 2005/06 and 2006/07 but performance started to drop in 2007/08 when there was an increase in the number of appeals against refusals which were contrary to officers' recommendation. Of the 32 upheld appeals in 2007/08 seventeen of them concerned

---

Further information about this report is available from Mike Willmont, Team leader Central on 1782

refusals in this category. In the first 6 months of 2008/09 nine out of the seventeen upheld appeals also arose from refusals contrary to recommendation. Where such appeals are dealt with by public inquiries consultants are used to give the Council's case the best possible support, but it remains difficult to defend decisions which appear on their merits to be weak cases. Where such appeals have been dealt with by written representations or hearings planning officers normally defend the council's decision themselves, sometimes with local member support, but such appeals normally have a much lower success rate.

- 16. In accordance with BV 204 the above data concerns only appeals against refusals of planning permission. There have been fourteen other appeals decisions in the first 6 months of 2008/09, and only four of those have been upheld – giving an average of 29%.
- 17. Eight other appeals have been determined in 2008/09 so far as follows

<b>Table 4 - Other appeal types determined 2008/09</b>		
<b>Type</b>	<b>Number</b>	<b>Upheld/Dismissed</b>
Enforcement	10	2 upheld, 8 dismissed
Conservation Area Consent	2	1 upheld, 1 dismissed
Listed Building Consent	1	1 dismissed
Appeals Against Non-determination	1	1 upheld

- 18. The rate of success in enforcement appeals is particularly welcome – the “upheld rate” of only 20% is exemplary.
- 19. If all appeal types are considered together the overall success rate is 21 appeals upheld out of 58 in total, i.e. a figure of 36% which is around 3% worse than the national average.

**D. Enforcement**

- 21. There are no national Best Value Performance Indicators for planning enforcement. A new Planning Enforcement Policy was brought into operation in March 2007 which includes a requirement for reporting on Enforcement activity to this Committee. Since April 2006 enforcement activity has been monitored on a monthly basis and the tables below set out the results for the first six months of 2008/09.
- 22. In the first six months of 2008/09 a total of 359 new enforcement enquiries have been received and 364 cases have been closed.

<b>Table 5: Enforcement Outcomes: first 6 months of 2008/09</b>	
No apparent breach (not development)	74
No apparent breach (permitted development)	72
Not expedient to enforce	58
Compliance achieved through negotiation	107
Planning permission granted	49
Passed on to other Service Areas	4
<b>Total cases closed</b>	<b>364</b>

Planning Contravention Notices	46
Breach of Condition Notices	7
Enforcement Notices	8
Listed Building Enforcement Notice	0
Section 215 Notices	0
Stop Notices	0
Prosecutions	2
Default Action	0
Total Number of Formal Actions	63

- 15 All the Area Sub Committees have commented on the number of retrospective planning applications being submitted. Accordingly, since April 2006 a specific check has been kept on these. In the period April 2008 to September 2008 a total of 77 retrospective planning applications have been received as a result of enforcement action. These applications have, between them, generated £24,800 in planning application fee income. Whilst the number of applications may seem quite high, it may be of interest to note that the planning system has always allowed for retrospective applications and, indeed, good enforcement practice specifically affords developers the opportunity to remedy a breach of control by applying for permission.

## **RECOMMENDATION**

**THAT;**

**The report be noted, subject to any comments Members may wish to make to the Cabinet Member, Environment.**



**DCNW2008/1807/F - RETROSPECTIVE APPLICATION FOR CHANGE OF USE (TEMPORARY) OF LAND FROM AGRICULTURAL TO A ONE FAMILY TRAVELLERS SITE INCLUDING THE STATIONING OF ONE CARAVAN AND ANCILLARY STRUCTURE AT LOWER FIELD, ASH FARM, BARNET LANE, WIGMORE, HEREFORDSHIRE, HR6 9UJ**

**For: Ms A. Cleverly per Hereford Travellers Support, Trefoil, Brinsop, Herefordshire, HR4 7AS**

**Date Received: 9th July 2008**  
**Expiry Date: 3rd September 2008**

**Ward: Mortimer**

**Grid Ref: 40936, 68861**

Local Member: Councillor L O Barnett

### **Introduction**

This application was considered by the Northern Area Planning Sub-Committee on 24<sup>th</sup> September. Members resolved to refuse the application contrary to recommendation. The decision was accordingly referred to the Head of Planning and Transportation to determine if it should be reported to the Planning Committee for further consideration.

During the debate the shortfall in available pitches was considered and Members were reminded of the need to have regard to the previous appeal decision. Concern was expressed that there appeared to be one policy for gypsy/travellers and another for others. Members were reminded that this indeed was the case, policy H12 of the UDP being relevant to gypsies and other travellers.

Given the potential consequences of another appeal on this matter the application has according been referred.

### **1. Site Description and Proposal**

- 1.1 The application site is situated to the north of the unclassified road that runs west from the village of Wigmore towards Birtley and Lingen. The site is in an elevated position on the North East facing slope and is prominently located in open countryside.
- 1.2 The application site itself forms a parcel of land to the east of a larger land holding (5.2 acres), at its lowest point. The site has a mature boundary hedge to the North, East and South boundaries, with access being gained via an existing field gate in the south east corner of the site. To the west of this site in a much more elevated position is an associated existing traveller site that benefits from a temporary permission and houses the former partner of the applicant.
- 1.3 The proposal is a retrospective application for the change of use of the agricultural land for use by a one family traveller site, including the siting of the one touring caravan and associated temporary structure.
- 1.4 The applicant and occupant of the site currently shares the personal and temporary permission granted on appeal (see appendix) for the temporary site to the West part of the field.

- 1.5 Due to personal reasons the applicant, Mrs Alison Cleverly, and child, who she jointly cares for with her former partner Mr Richard Wells, moved the caravan off the western part of what is referred to as Ash Farm onto this application site.
- 1.6 The application requests a temporary permission to run conterminous with the permission for the site in the western part. This permission is due to expire on the 7th March 2010.

**2. Policies**

National Planning Policy

- 2.1 PPS1 – Delivering sustainable development
- PPS3 – Housing
- PPS7 – Sustainable development in Rural Areas
- PPG15 – Planning and the Historic Environment
- PPG16 – Archaeology and Planning

ODPM Circular – 01/2006 – Planning for Gypsy and Traveller Caravan Sites.

Herefordshire Unitary Development Plan (2007)

- 2.2 S1 - Sustainable development
- S2 - Development requirements
- S3 - Housing
- S7 - Natural and historic heritage
- DR1 - Design
- DR2 - Land use and activity
- DR3 - Movement
- DR4 - Environment
- H11 - Residential caravans
- H12 - Gypsies and other travellers
- LA2 - Landscape character and areas least resilient to change
- LA6 - Landscaping schemes
- HBA4 - Setting of listed buildings
- ARCH3 - Schedule ancient monuments
- NC4 - Sites of local importance

**3. Planning History**

- 3.1 NW2006/0205/F - Change of Use from agricultural to one family travellers site including the stationing of 2 dwelling vehicles and storage space (Retrospective application) - Refused 17th March 2006.
- 3.2 This application and the subsequent Enforcement Notice were then the subject of an appeal. The appeal was allowed on the 7th March 2007 subject to an amended Enforcement Notice and temporary and personal permission. A copy of this decision has been appended to this report for information purposes.
- 3.3 NW2005/0851/F - Retention of caravan for residential use - Refused 5th May 2005.

**4. Consultation Summary**

Statutory Consultations

- 4.1 No statutory or non-statutory consultations required.

Internal Council Advice



- 4.2 Transportation: Has no objection to the grant for permission.
- 4.3 Environmental Health: No objection. The sub-regional housing assessment has identified a need for a further 100 plots for travellers will be generated in Herefordshire in the period 2007 - 2012.

## 5. Representations

- 5.1 Wigmore Group Parish Council make the following comments:

"It was unanimously agreed at a recent meeting of Wigmore Group Parish Council that this application should not be allowed for the reasons previously stated following previous applications. Although, upon appeal Mr Cleverly's and Mr Well's application was granted, it was only a temporary permission for two caravans and storage boxes which, we were assured, was adequate accommodation for one family.

It is not desirable to encourage such use of land by travellers and it is suspected that whilst this current application is for one family use of the land, others will be attracted to the site and before we know where we are we will have a settlement on our hands. Given that permission was originally granted for two caravans and storage, the fact that Ms Cleverly and Mr Wells no longer live together and have therefore separated the two-caravan set-up in favour of two separate caravans at either end of the field, we may assume that when both parties find alternative partners, each caravan will then require another caravan to accommodate a 'growing family', not to mention additional storage facilities. Four caravans in situ surely are then tantamount to a small travellers' site.

It is considered to be the responsibility of Herefordshire Council to provide appropriate accommodation land for travellers and that doing so 'by the back door', as approval by HDC will be seen, is not acceptable. Considering the rising numbers of travellers leading to the 'need for 100 additional pitches by 2010' (Assessment Against UDP Policy Criteria) Herefordshire Council should be more diligent in their responsibilities towards them.

Local residents are subjected to stringent rules about what they can or cannot build on their own land and flouting the legal process as Ms Cleverly has done should not be allowed, regardless of the 'environmentally sustainable life' Ms Cleverly leads. Oh that we could all lead such a life free from everyday responsibilities, yet taking advantage of all local amenities. Perhaps Herefordshire Council is advocating we all pursue an environmentally-friendly, self-sufficient life in a caravan in a field chosen because it is in an attractive area of countryside and well-screened!"

- 5.2 One letter of objection has been received from R R Bailey, Callis Close, School Lane, Wigmore. This letter can be summarised as follows:

- Reiterate original objection received on application NW2006/0205/F on the 15th Feb 2006 that stated the following:
  - It is already an eyesore and it will become a scrap yard
  - Will they invite further travelling families onto the site
  - The site does not provide satisfactory access
  - The area is recognised as an area of outstanding natural beauty
- The site may continue to develop. How many more 'family units'; will appear?
- What are the sanitary arrangements?

- 5.3 Additional letters of objection have been received from:

- David Martin, Tump Lane, Much Birch, Hereford
- John Williams. Abbots Lodge, Wigmore, Leominster
- A D F Gardiner, 2 Castle View, Castle Street, Wigmore

- F E Kenny, Castle Way, Greenhill, Wigmore
- Ruth Ingram, Wigmore Hall, Wigmore
- Jon & Jane Bingham, Burgage Farm, Wigmore.

These letters raise the following issues:

- The proposal is not sympathetic to the design and nature of the locality. Wigmore is a historic village characterised by several listed properties. The buildings and proposed use.
- The buildings, and the proposed use, contemplated in the application are not in keeping with the village and its surroundings.
- The land does not possess the infrastructure - such as basic sanitation and electricity/gas/water supply - to support a dwelling house. We understand that the intended property will house a young child.
- The proposal is not in compliance with the adopted Development Plan for the area.
- The effect on parking, traffic and road safety. Access to the site is made via a narrow lane with poor visibility to oncoming vehicles, this will pose a demonstrable danger to local traffic.
- Noise and general disturbance to adjoining residents. The applicants are regularly holding 'raves' on the site, approval will clearly exacerbate this problem. (The last event was held Saturday, September 13th giving rise to so many complaints from local residents that the local police force found it necessary to cordon off the site - such was the disturbance and perceived threat to the community.)
- In the Inspector's report from the original appeal made by Ms Cleverly and Mr Wells, and in relation to all three appeals, he writes that permission has been granted for the temporary period 'so that sufficient time is provided for them to find an acceptable alternative and appropriate site'. He also writes (in his 'Reasons', point 17) that this three year period 'should be sufficient for the Council to have prepared a list of sites which would provide an acceptable location for this family'. Can the Council confirm that they are fulfilling their responsibility in this matter, so that at the termination of the temporary permission, the land will be returned 'to its former condition' as the Inspector states?
- Secondly, the Inspector clearly states that if 'the appellants' have 'failed to have left the appeal site' by the end date of the temporary permission, 'the Council could deal with the matter, (...) as a breach of condition, or by servicing another enforcement notice'. Can the Council confirm that they will use the authority they have been granted and the powers they have to ensure that the appellants are removed from the site should they choose not to leave of their own accord?
- I hope very much that the Council can respond positively to these two questions. Surely permission should only be granted on this occasion, if they can.
- I know the history of the site, and the earlier applications and appeals that have taken place. I do not agree with the Inspector's assessment that the original appeal should have been granted for temporary permission on this site. I believe Herefordshire Council's failure to provide Travellers' sites does not justify granting permission on land that would normally be ineligible under the current policy - it simply sends out the wrong message and does not safeguard our environment as the Council promises to do. I do not, therefore, believe that permission should be granted on this occasion either.
- I believe that more effort should be made by the Council to determine and define a person's 'Traveller' status. The applicant states that she needs to be a resident on this site to be in close proximity with Wigmore School for her child. It is also stated in her application that having tried to 'return to the travelling lifestyle' it was found that 'this was unsatisfactory for all parties'. In spite of this she is applying for change of use of the land to 'a one family travellers

site'. It is my belief that her application should not be being considered with reference to policy H12.

- I would also like to add my support to the points raised by the Parish Council in their written opposition to the application.
- If the Council and the Committee is mindful to grant permission, then there are several concerns that I have, and that I would like to be considered in drawing up any conditions on the approval –
- That there is a possibility that additional families will be encouraged to join the applicant on this site.
- That further structures will be put up on the site, either by the applicant or by others moving on to the land.
- That other travellers within Herefordshire, or even nationally, will be encouraged to pursue the same course of action as the applicant (on other sites) using this case and the precedent it sets as an example.
- That the applicant is prepared to continue to move her structures around this land, necessitating further retrospective applications to be made as the application site changes, simply allowing her to 'play' the system and avoid any form of enforcement.
- Should it be possible to include a condition in any permission that prevents any informal gatherings such as the recent event, or perhaps prevents any form of amplified music to be played, to ensure that Ms Cleverly is not able to cause the same noise nuisance and distress again. This is particularly relevant to us, as we are aware she has stated that her party will be a yearly event.
- I hope that this matter is resolved in a manner that allows the Council to properly enforce its decision and safeguard the quality of the environment in this area, not just for the applicant, but also for the wider community.
- During the Public Consultation period, the misleading placement and visual concealment of the Site Planning notices.
- Based upon the Planning Services recommendation to approve this application, with conditions, the applicant Ms Cleverly has already breached these, on a regular basis, by allowing the stationing of multiple caravans/vehicles and ancillary structures on the site.

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

## 6. Officer's Appraisal

6.1 The key considerations in the determination of this application are:

- Principle of development and site history
- Landscape impact
- Setting of the Listed Building and Archaeological impact

6.2 The site lies in open Countryside and as such policy H7 of the Herefordshire Unitary Development Plan (2007) that relates to housing in the open countryside outside of settlements applies. This policy states that proposals would not be permitted unless, it is a site providing for the needs of gypsies or other travellers in accordance with policy H12 . This policy relates directly to gypsies and other travellers. It states that these sites should be with a reasonable distance of local services and facilities and that sites should generally be small. Adequate screening and landscaping would be

included so that the proposal does not result in adverse impact upon the character and amenity of the landscape. Finally there should be appropriate levels of residential amenity including safe play areas for children and that they should provide satisfactory work and storage area.

- 6.3 The site should be considered contrary to policy unless it can be established that it relates specifically to travellers and otherwise conforms to policy. Having regard to the history of the site and in particular the appeal decisions. The inspector has accepted that the applicant falls within the definition detailed in circular 01/2006 of a gypsy and traveller and as such it is considered acceptable to consider this proposal in relation to Policy H12.
- 6.4 Members will note from the appeal decision that the inspector accepted that the proposed development does not comply with policy H12 on a number of matters but draws the conclusion that the substantial shortfall in site provision in the County coupled with the circumstance of the case that a temporary, 3 year, consent be granted for this family.
- 6.5 The Council continues to seek to provide the shortfall of 83 sites identified in the Traveller Accommodation Assessment but it is also noted the personal circumstances relating to the joint care of the applicants young dependent. This is a matter that is also a material consideration of this case.
- 6.6 The application site is located in open countryside, but is less obtrusive in position than that of the more prominent site that is situated in elevated position to the west. It is considerably less harmful to the long distance views and setting of Wigmore Castle than that of the associated site to the West. There is far less domestic paraphernalia and it is much better screened and landscaped from the public vantage points. It does not read explicitly as an extension to the original site but does lead to a spread of development. There are no more persons living on the site or vans sited on the site that previously approved.
- 6.7 Having regard to the planning history and the conclusions drawn by the inspector, and having regard to the new circumstances of the family, the principle has already been established in this instance. Allowing a personal and time limited consent would meet the needs of the applicant whilst allowing an element of control over the site with a planning permission restricting its occupation and any further development or siting of vehicles. It is considered that this is a reasonable course of action to take given the circumstances of the case.

## RECOMMENDATION

**That planning permission be granted subject to the following conditions:**

1. **B01 (Development in accordance with the approved plans )**

**Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development and to comply with Policy DR1 of Herefordshire Unitary Development Plan.**

2. **The use hereby permitted shall be carried on only by Alison Cleverly and shall be for a limited period being the period of until the 6th March 2010, or the period during which the land is occupied by her, whichever is the shorter. At the end of the period the use hereby permitted shall cease, all materials and equipment brought onto the land in connection with the use shall be removed and the land restored to its former condition.**

**Reason: To clarify the terms of the permission having regard to the special circumstance of the case and to the sites open countryside location and criteria of policy H12 of the Herefordshire Unitary Development Plan (2007)**

**Informatives**

1. N15 - Reason(s) for the Grant of Planning Permission
2. N19 - Avoidance of doubt - Approved Plans

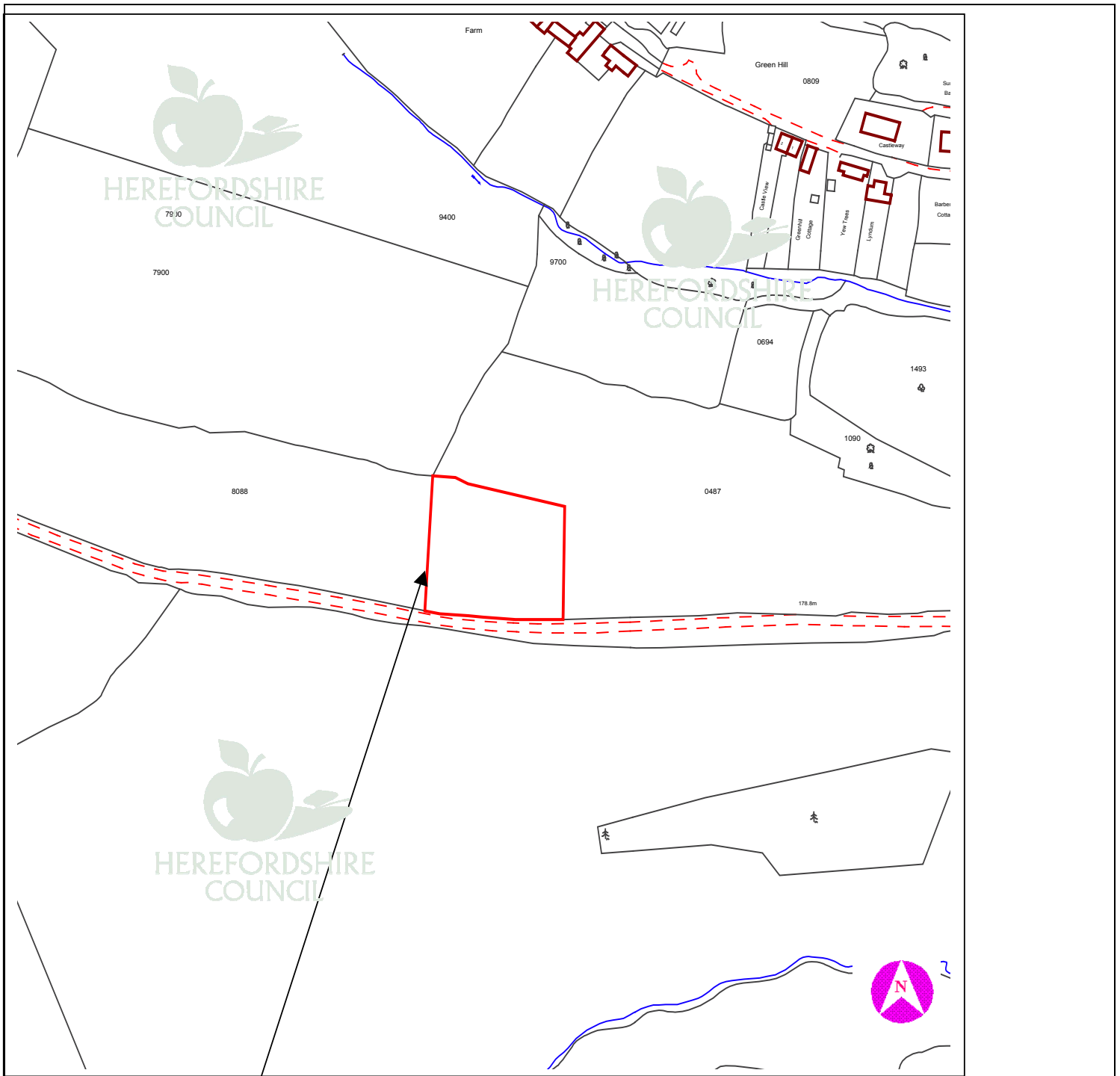
Decision: .....

Notes: .....

.....

**Background Papers**

Internal departmental consultation replies.



This copy has been produced specifically for Planning purposes. No further copies may be made.

**APPLICATION NO:** DCNW2008/1807/F

**SCALE :** 1 : 2500

**SITE ADDRESS :** Lower Field, Ash Farm, Barnet Lane, Wigmore, Herefordshire, HR6 9UJ

Based upon the Ordnance Survey mapping with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Herefordshire Council. Licence No: 100024168/2005







**DCCE2008/2464/L - INTERNAL REPAIRS AND IMPROVEMENTS TO A LISTED BUILDING. CASTLE CLIFFE, 14-16 QUAY STREET, HEREFORD, HEREFORDSHIRE, HR1 2NH**

**For: Cllr. M Hubbard, Castle Cliffe, 14-16 Quay Street, Hereford, HR1 2NH**

**Date Received: 1st October, 2008    Ward: Central    Grid Ref: 51155, 39581**

**Expiry Date: 26th November, 2008**

Local Members: Councillors M. Hubbard, Mrs U. Attfeld, C. Chappell, A. Oliver

**1. Site Description and Proposal**

1.1 Castle Cliffe is a two storey semi-detached random stone and pitch tiled roof property located at the southern end of Quay Street and Redcliffe Gardens and immediately north of the River Wye. North west also facing Quay Street are a number of detached and semi-detached residential properties and along the northern boundary of the green is Cathedral Junior School. The majority of the building dates back to the 17th Century and is Grade II Listed and also falls within a Conservation Area, an Area of Archaeological Importance and Flood Zone 3. The River Wye to the south is also a Special Area of Conservation and Site of Special Scientific Interest.

1.2 Listed Building Consent is sought for minor external and internal alterations to the property as follows:

External

1. Repositioning of existing foul drainage pipes on the northern elevation.  
Lower Ground Floor
2. Use of the lower ground floor as a kitchen including installation of new floor to the utility and installation of gas fired stove.

Ground Floor

3. Removal of existing modern partitioning and kitchen units within the current kitchen to create an open lounge, installation of wood burning stove and removal of modern door to provide an access to lower ground floor.

First Floor

4. Removal of existing bathroom from bedroom 2 and creation of new bathroom within bedroom 1.

**2. Policies**

2.1 Herefordshire Unitary Development Plan 2007:

S2	-	Development requirements
S7	-	Natural and historic heritage
DR1	-	Design
HBA1	-	Alterations and extensions to listed building

### 3. Planning History

- 3.1 CE2001/0456/F - Change of use from residential to a mixture of residential and short term holiday letting, erection of wooden gate to the side and replacement of windows and stone infill arch with oak door. Approved 23rd April, 2001.
- 3.2 CE2000/2527/L - Alterations for modernisation of the two dwellings created in 1959/60 to facilitate a mix of residential and self-catering holiday lettings business, including the provision of a new car parking area, the demolition of existing garage and railings, resiting of bathroom and kitchen and new W.C. (East House), creation of kitchen/diner (West House), new gates to side and replacement of existing window and stone infill in arch. Listed Building Consent approved 23rd April, 2001.

### 4. Consultation Summary

#### Statutory Consultations

- 4.1 None required.

#### Internal Council Advice

- 4.2 Conservation Manager:

17th century Kitchen(cellar).

This room is currently not in use but would appear to have been the kitchen of the property in an earlier incarnation. It is most welcome that this room is to be brought back into use and returning rooms to their original use is supported by government guidance. It would also help to preserve the building as currently this area is somewhat damp and its drying out is to be welcomed. The range located within the fireplace is of interest but given its very poor condition due to corrosion we do not believe that it is capable of restoration. It is also a much later feature, which would appear to have been inserted into an 18th century fireplace, which in turn has been inserted into substantial fireplace. We would expect this to be of late medieval origins although there is the possibility it could have been rebuilt at some later point in history. Due to the insertion of a flue to vent the proposed stove it may be necessary to knock through into this element and if this is required we would advise that the conservation officer visit the site to recommend the final design of the fire place depending on what is found behind the 18th century wall and its condition.

#### Ground Floor

The opening up of the staircase, which is boarded in would be most welcome and enhance this feature within the house. This boarding is of no merit and detrimentally impacts upon both the staircase and the entrance hall. We would therefore support this element of the proposal. Of particular importance would be the revealing of the important 13th century door due to the proposed removal of the mid 20th century stud partition. This would clearly be a major enhancement as not only does it allow the room to be returned to its 18th century proportions, it allows the appreciation and understanding of the evolution of the house. The reopening of the flue and therefore the reinstatement of the room's original focus and understanding of the architectural composition would be welcomed.

**1st floor.**

The restoration of the room to its original size through the removal of the mid 20th century bathroom is to be welcomed as it would return the space to its previous proportions and enhance the character of this room. We would therefore support this element.

**External.**

The removal of the existing clutter caused by the external drainage and reuse of the cast iron element in a less sensitive area is to be welcomed as it would enhance the appearance of the building. We would therefore support this element.

**Conclusion**

The proposed works would be most beneficial to this building and would enhance its appearance and character. We would therefore support this proposal and recommend approval subject to conditions.

**5. Representations**

- 5.1 Hereford City Council: Comments awaited.

**6. Officer's Appraisal**

- 6.1 The existing dwelling has medieval origins and is of both architectural and historical interest. The property has, however, been unsympathetically altered over the last 50 years or so. The works proposed under this application will encompass the sympathetic restoration of parts of the property in keeping with its historic and architectural interest.
- 6.2 The existing foul drainage pipes are located in a prominent and conspicuous position on the front elevation. The relocation of the pipes within the reveal of a stone buttress will assist in concealing at least some of the existing external pipe work.
- 6.3 Internally, the introduction of a beneficial use (kitchen and utility) to lower ground floor with associated heating of these spaces will assist in ensuring the continued survival of the building. The level of alterations within this part are minimal with the exception of an introduction of a new floor to the utility room. However, this is to be laid on the existing floor and therefore will ultimately be reversible. A section of the original floor will also be revealed around the door access maintaining a visual record of the building's history. Minor concerns exist concerning the removal of the 19<sup>th</sup> Century original stove but this is beyond repair and therefore subject to the treatments of the fireplace reveal, as confirmed by the Conservation Officer, there is no objection to the removal of this feature.
- 6.4 At ground floor the alterations are minimal and essentially entail the removal of more modern partitioning and kitchen worktop features to enable the use of what is currently the kitchen as a lounge area. A wood burning stove is also proposed to be installed within an existing concealed chimney, consequently there is minimal impact on the original fabric of the building. The removal of modern panelling in this area will also reveal an early medieval door, which is welcomed.
- 6.5 Similarly at first floor, the existing bathroom which is a more modern addition is to be removed thereby restoring the historic room proportions and a new bathroom to be created in one of the bedrooms but this does not entail any new partitioning. The

existing fireplace within what is presently the bathroom will also be revealed and restored.

- 6.6 The works will assist in restoring the original room proportions, making beneficial use of an area which is currently unused and generally safeguarding the character and appearance of the Listed Building in accordance with Policy HBA1 of the Herefordshire Unitary Development Plan 2007.

**RECOMMENDATION**

**Subject to no further objections raising additional material planning considerations by the end of the consultation period, the officers named in the Scheme of Delegation to Officers be authorised to approve the application subject to the following conditions and any further conditions considered necessary by officers.**

- 1 **D01 (Time limit for commencement (Listed Building Consent) )**

**Reason: Required to be imposed by Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.**

- 2 **D06 (External finish of flues/cowls)**

**Reason: To ensure that the work is carried out in accordance with the details that are appropriate to the safeguarding of the special architectural or historical interest of the building and to comply with the requirements of Policy HBA1 of Herefordshire Unitary Development Plan.**

- 3 **D11 (Repairs to match existing )**

**Reason: To ensure that all of the works arising from the approved scheme are of an appropriate form in the interest of safeguarding the special architectural or historical interest of the building and to comply with the requirements of Policy HBA1 of Herefordshire Unitary Development Plan.**

**INFORMATIVES:**

- 1 **N15 - Reason(s) for the Grant of PP/LBC/CAC**

- 2 **N19 - Avoidance of doubt - Approved Plans**

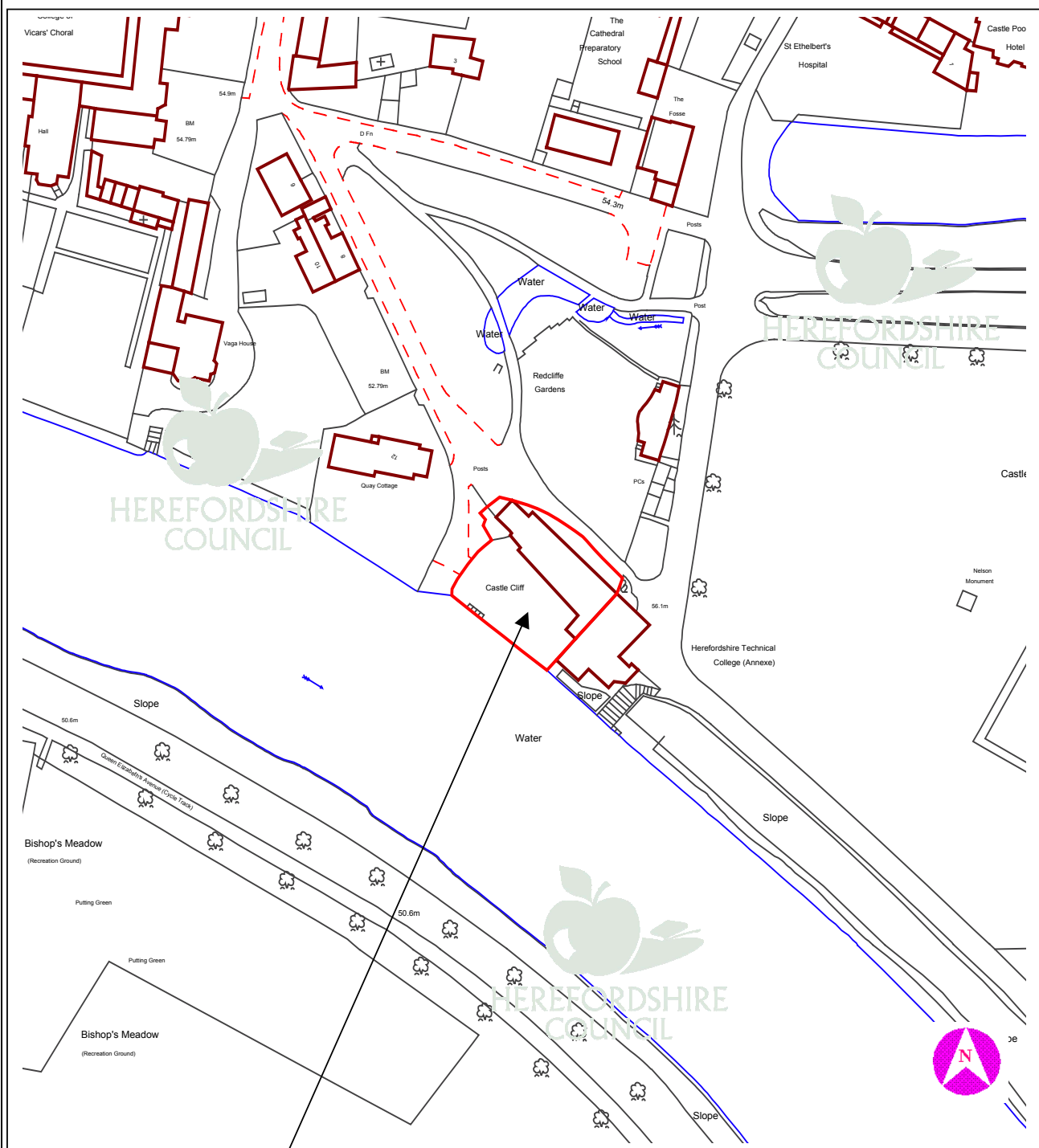
Decision: .....

Notes: .....

.....

**Background Papers**

Internal departmental consultation replies.



This copy has been produced specifically for Planning purposes. No further copies may be made.

**APPLICATION NO:** DCCE2008/2464/L

**SCALE :** 1 : 1250

**SITE ADDRESS :** Castle Cliffe, 14-16 Quay Street, Hereford, Herefordshire, HR1 2NH

Based upon the Ordnance Survey mapping with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Herefordshire Council. Licence No: 100024168/2005

