

**6 DCNE2007/2216/F - PROPOSED LIVESTOCK SHED AT
LAUREL COTTAGE, STORRIDGE, MALVERN,
WORCESTERSHIRE, WR13 5HA****For: Mr P Chalk per Mr J Taplin, John Taplin
Associates, The Orchard, Clevelode, Malvern, Worcs,
WR13 6PD****Date Received:
11th July 2007****Ward: Hope End****Grid Ref:
74743, 50487****Expiry Date:
5th September 2007**

Local Member: Councillor R Mills

Introduction

This application was deferred at the Northern Area Planning Sub-Committee on 19th September 2007 to enable the drainage issues to be resolved. An amended plan has been received incorporating a sealed lagoon as requested by the Environment Agency. The advice of the Environment Agency on the amended plan will be reported to the meeting. The report has been updated and includes additional representations from the applicant and objectors and the Council's Land Drainage Engineer.

1. Site Description and Proposal

- 1.1 The application site is a 5.2 ha field on the east side of the C1142 in the area known as Birchwood, 2km to the north of the A4103 at Storrige. The land slopes upwards away from the road and is bounded by a mature hedgerow. The field is prominent in the wider landscape. A recently constructed agricultural storage building, 15.6m x 8m in size, adjoins the southern boundary of the site. The building is sited 25m from the road and is served by an existing access.
- 1.2 This application is for the construction of a 12.8m x 5.4m extension to the northern elevation of the building. It would be built and clad in timber with a green sheet roof to match the existing building. The extension would have a mono pitched roof with a maximum height of 3.6m and have a closed bay and two open bays facing on to the existing yard. The extension is required for lambing and to house the applicant's Highland cattle for 3 months during wet weather in winter. Drainage, as originally proposed, was to a 1.5m x 1.2m sump filled with crushed stone. The Environment Agency did not consider this was suitable for the local ground conditions. Following consultation, the applicant has submitted an amended plan proposing a sealed lagoon to collect contaminated run off from the buildings and yard area. Run off from the roof of the building would be to a french drain draining to an existing sump at the lowest point of the field.
- 1.3 The farm unit is 12.3ha in size, including 4ha of rented land and is run as a traditional smallholding with a mixed stock of cattle, pigs and sheep. Produce is sold direct to the public.

1.4 The site is in the Malvern Hills Area of Outstanding Natural Beauty.

2. Policies

2.1 Planning Policy Statements

PPS 7 - Sustainable Development in Rural Areas

2.2 Herefordshire Unitary Development Plan 2007

Policy E13 - Agricultural and forestry development

Policy LA1 - Areas of Outstanding Natural Beauty

Policy DR4 - Environment

3. Planning History

3.1 NE06/0580/S Agricultural storage building - Prior Approval Refused 15.03.06

3.2 NE06/1263/S Agricultural Storage Building - Withdrawn 26.05.06

3.3 NE/06/1862/S Agricultural Storage Building - Prior Approval Not Required 27.06.06

4. Consultation Summary

Non-Statutory Consultation

4.1 The Environment Agency advice on the amended drainage scheme is awaited. For information, their response to the original proposal was as follows:-

As it stands the proposed drainage arrangement based the plan dated May 2007 is not considered satisfactory. Further to discussion with Michael Morris in our EM team we would recommend that the drainage from within the buildings and from any yard areas that are likely to produce contaminated run-off must drain to a sealed tank or lagoon, for later disposal by spreading or some other approved disposal route. So as to minimise the quantity of uncontaminated liquid entering the tank (or lagoon) all roof drainage and uncontaminated drainage from surrounding land should be diverted away from this tank. If the building and/or yard areas are likely to be contaminated with polluting material for only part of the year, the applicant may wish to consider using some form of diversion system to channel clean water away from the tank at times when there is a low risk of contamination.

We would have no objection, in principle, to the proposed development and recommend a condition to secure the above.

4.2 The Traffic Manager has no objection.

4.3 The Environmental Health and Trading Standards Manager has no objection.

4.4 The County Land Agent has provided a report on the farm and concludes that 'The proposed extension is justified and will help keep the smallholding run on traditional lines in a position to comply with cross compliance and give the necessary control over grazing to keep pastures in good heart.'

4.5 The Land Drainage Engineer offers the following comments:

1. I have spoken to Mr Chalk who assures me that the 100mm dia. land drain from the collecting sump in the yard is to be deleted from the design. I understand that this sump is the subject of the EA's request to provide a holding tank for the contaminated drainage.
2. The main sump at the lowest point in the field has a 225mm dia. outlet that accommodates a connection from a spring which then crosses the road to discharge into a watercourse. Therefore there should be sufficient capacity for the additional 100mm dia. drain connection from the development.
3. The highway has recently flooded in the area but I have been informed by highway colleagues that this was a result of a blocked drain that has now been cleared.

5. Representations

5.1 The Design and Access Statement that accompanies the application makes the following points:

- The application is submitted to improve livestock welfare facilities. The Environment Agency requires that the cattle should not be housed in an open facility even for short periods due to the serious issue with run-off
- The size of the building is based on current livestock levels and DEFRA recommendations as follows:
Highland cattle - 10 breeding cows and heifers, 1 breeding bull, 6 steers and 5 to 8 calves. Feeding facilities will be incorporated with the hard standing. Whilst Highland cattle can live out all year round, the housing is required for the winter months during extremely wet weather to prevent poaching of the land especially around feeders and drinkers. Minimum recommended space per 500kg cow is 5.85 sq.m. Heifer calves require a separate space away from the bull.
Highland calves (10-12 months of age) - these calves have to be halter trained for ease of handling, showing and sale. The first year the calves are wintered in to facilitate halter training. For personal safety and to prevent injury to each other they require a space of 9 sq. m./head.
Sheep - 20 to 25 breeding ewes have to be housed at lambing time at a rate of 2.0 -2.2sq m/ewe and lamb. In addition, six 4 sq m pens are required for welfare during lambing.
- The Council's Landscape Architect's recommendations on the building style, area plan, height and tree planting have been followed. The timber framed building will match the existing.
- The drainage details are based on the advice of the Environment Agency to build a sump with over flow to the lowest point in the field. This recommendation was made during a site visit where it was suggested that the sump would collect any possible run off and dissipate it before entering any watercourse.

5.2 Cradley Parish Council have no objections.

5.3 Letters of objection have been received from two local residents. The letters make the following points:

- There is a serious issue with run off from the existing barn and drainage. Potable spring water originally discharged into a 'catch pit' that provided a private water supply to Laburnum Cottage. The barn's drainage has diverted the supply and it now discharges into an orchard causing water logging, fruit trees to die and concern that it is backfeeding into the septic tank.
- The catch pit now only receives run off water from the existing barn. It becomes a torrent in heavy rain and gets contaminated when livestock are in the barn or corral. Analysis of the water by the Council shows that it does not comply with the required standard.
- The application doubles the size of the barn and will increase the severity of the problems. The proposed drainage system is unlikely to resolve the problem as the sub strata does not soak away water. It is in the poorest category in terms of soaking away water and explains why the land is so poached during the winter months. Previous stocking levels were lower.
- Highland cattle are hardy and suitable for more inclement conditions than Herefordshire. If it is necessary to house them in the winter months then it suggests that the land is not suitable or the stock levels too high.
- The proposed drainage scheme does nothing to dissipate or filter foul matter. It will be deposited in the pond or sump at the lowest point of the field opposite Vineyard Cottage creating a potential health hazard.
- Any increase in run off from the field or road will exacerbate flooding of the gateway to Vineyard Cottage which is opposite the lowest point of the site.
- The present proposal would result in a larger structure than those previously turned down. These applications were refused or withdrawn due to their size and visual impact on the AONB.
- There is a restriction on the current use of the building for housing animals due to the proximity of residential properties.
- A possible solution to all run off issues from the barn is to redirect all drainage onto the applicant's own land below the barn. It is unreasonable for other residents to bear the impact of the serious run off issues.

5.4 A further letter from one of the objectors has been received commenting on the report to the Northern Area Planning Sub-committee on 19 September 2007. The letter makes the following points:

- The installation of a sealed tank would be acceptable provided it is completely sealed to reduce the risk of smells, it is positioned as far away from residential properties as possible and the contaminated drainage will be disposed of in an acceptable way.
- There are other drainage issues affecting Laburnum Cottage following the diversion of the original drainage system (outlined in paragraph 5.3 above). The objector queries whether the new drainage system is expected to solve these issues.

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

6. Officer's Appraisal

6.1 This application is for the extension of an existing agricultural building. The site is in open countryside designated as an Area of Outstanding Natural Beauty and there are a number of houses to the west of the site. The main issues are the impact on the

landscape and nearby residential properties. In addition, the site is on land with poor natural drainage and drainage is a material consideration in determining this application.

- 6.2 The existing agricultural building on the site was 'permitted development' where the Council determined that Prior Approval was not required. It is built in timber with a green coloured sheet roof. Although the site is quite prominent, it has assimilated into the landscape well and does not detract from the character of the area. The proposed extension to the building is modest in size and will be built in matching materials. In terms of policy LA1 officers are satisfied that the proposal is small in scale, is necessary to improve livestock housing and will not harm the intrinsic natural beauty of the landscape.
- 6.3 In addition to a satisfactory design and impact on the landscape, policy E13 requires that agricultural development should not have adverse impacts on residential amenity or the environment. The nearest house is about 70m to the west of the site and there are a number of cottages situated along the lane. Taking into account the small size of the extension, the number of stock and the need to provide housing only during the winter months, officers are satisfied that the proposal will not have a detrimental impact on the residential amenities of nearby residential properties. The livestock cannot be housed in the existing building without the submission of a further planning application.
- 6.4 The site is in an area with acknowledged drainage difficulties and the proposed drainage arrangements are of considerable concern to nearby residents. The Environment Agency was not satisfied with the drainage proposals submitted with the application and advise that contaminated run-off from the buildings and yard must drain to a sealed tank or lagoon, for later disposal by spreading or other approved means of disposal. The applicant has submitted an amended plan proposing a sealed lagoon with a capacity of 2500 litres located in north-west corner of the yard. The lagoon will collect contaminated run off during periods when cattle are housed in the building or yard. The Environment Agency has been asked to confirm that the amended proposals are suitable for the site and their advice will be reported at the Committee meeting. The run off from the roof of the building will be collected by a French drain draining to an existing sump close to the lane at the lowest point in the field. This sump discharges to a watercourse on the opposite side of the road. The Council's Land Drainage Engineer has confirmed that this is a satisfactory arrangement with sufficient capacity to take the additional drain connection from the development. Subject to the advice of the Environment Agency, officers are satisfied that the pollution and land drainage issues arising from the proposal have been adequately considered and resolved.

RECOMMENDATION

Subject to the Environment Agency confirming that the amended drainage proposals are satisfactory, the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions and any additional conditions considered necessary by officers:

- 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 - B03 (Matching external materials (general))**

Reason: To ensure the satisfactory appearance of the development.

- 3 - G04 (Landscaping scheme (general))

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

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

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

- 5 - The livestock shed hereby permitted shall not be brought into use for the housing of livestock until the drainage scheme has been completed in accordance with the amended plan received by the local planning authority on 3 October 2007.

Reason: In order to ensure satisfactory drainage arrangements are provided in accordance with Policy DR4 of the Herefordshire Unitary Development Plan 2007.

INFORMATIVES:-

- 1 - N15 - Reason(s) for the Grant of PP/LBC/CAC

- 2 - N19 - Avoidance of doubt

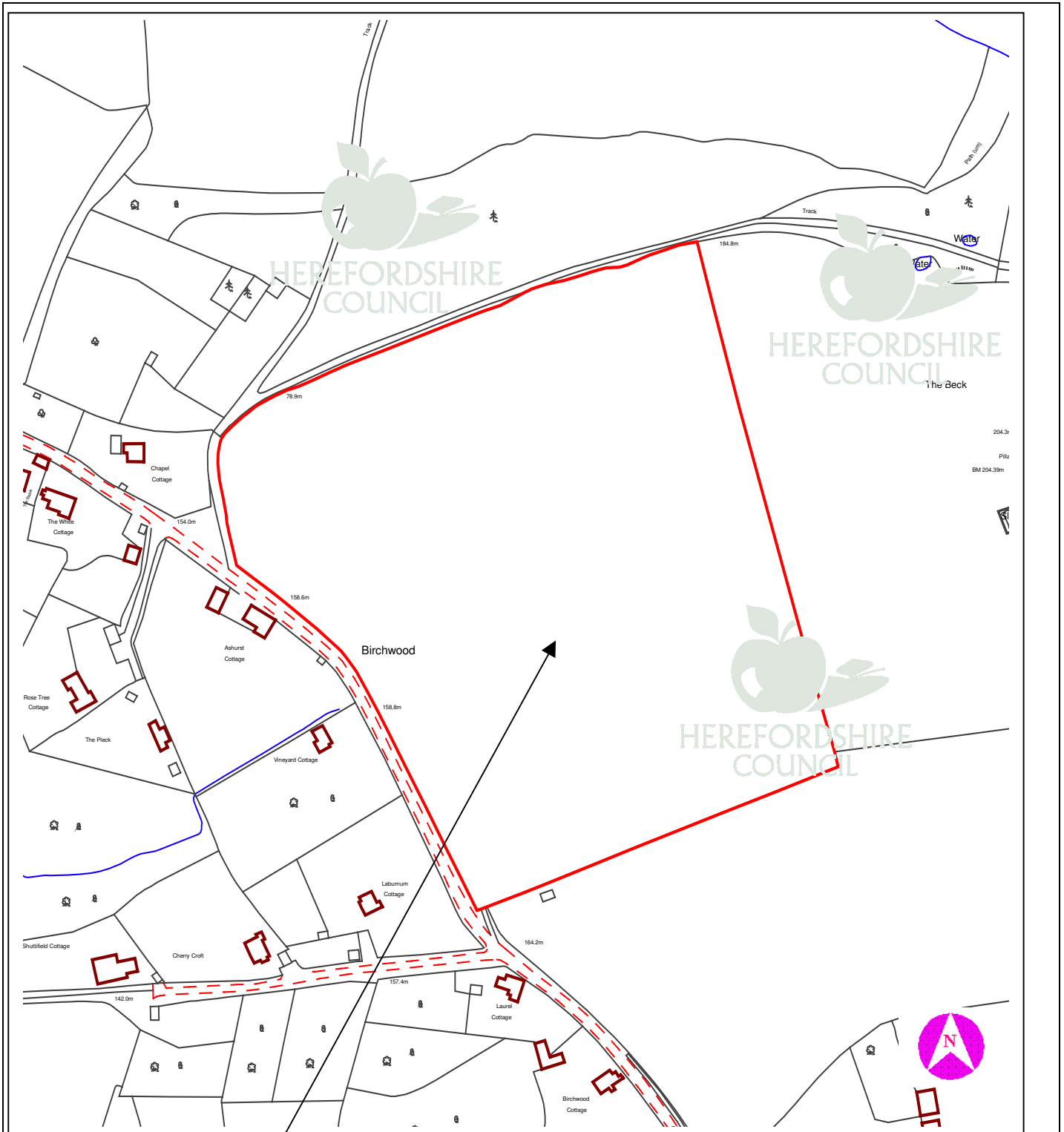
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCNE2007/2216/F

SCALE : 1 : 2500

SITE ADDRESS : Laurel Cottage, Storridge, Malvern, Herefordshire, WR13 5HA

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