

8 DCCW2007/2689/F - RETENTION OF POLYTUNNELS AT BROOK FARM AND NINE WELLS, MARDEN, HEREFORD, HEREFORDSHIRE, HR1 3ET**For: S&A Davies per White Young Green, Ropemaker Court, 12 Lower Park Row, Bristol, BS1 5BN****Date Received: 22nd August, 2007****Ward: Sutton Walls****Grid Ref: 52597, 48488****Expiry Date: 21st November, 2007**

Local Member: Councillor KS Guthrie

1. Site Description and Proposal

- 1.1 Brook Farm is located on the east side of the C1120 some 200 metres to the north of the village of Marden.
- 1.2 The proposal is to retain two areas of polytunnels which are located on two fields with a combined area of 14.7 hectares approximately and are utilised for the growing of blackberries and raspberries. Both crops are experimental under this form of cultivation with the plants being grown in 7 litre bags placed on the ground. One of the fields is located to the east of Brook Farm adjacent to Nine Wells and covers an area of approximately 7 hectares. Blackberries are being grown in these polytunnels. A Public footpath (MR22A) crosses the site from west to east and skirts along the eastern (MR20) and northern (MR19) boundaries.
- 1.3 The second area known as Field 2124 is to the north of Brook Farm and covers an area of approximately 7 hectares. Raspberries are being grown in these polytunnels. The raspberry plants are replaced every year whilst the blackberries are in their second year and are anticipated to produce a crop for another 2/3 years.
- 1.4 The planning application has been amended since submission and now relates only to the retention of the tunnels in the two fields. It is supported by a Landscape Assessment, Drainage Appraisal and Habitat Survey.

2. Policies**2.1 National Guidance:**

PPS7	-	Sustainable Development in Rural Areas
PPS25	-	Development and Flood Risk

2.2 Herefordshire Unitary Development Plan 2007:

Policy S1	-	Sustainable Development
Policy S4	-	Employment
Policy S7	-	Natural and Historic Heritage
Policy DR2	-	Land Use and Activity
Policy DR3	-	Movement
Policy DR4	-	Environment

Policy DR6	-	Water Resources
Policy DR7	-	Flood Risk
Policy DR11	-	Soil Quality
Policy DR13	-	Noise
Policy E6	-	Expansion of Existing Businesses
Policy E8	-	Design Standards for Employment Sites
Policy E10	-	Employment Proposals Within or Adjacent to Main Villages
Policy E13	-	Agricultural and Forestry Development
Policy T6	-	Walking
Policy LA2	-	Landscape Character and Areas Least Resilient to Change
Policy LA3	-	Setting of Settlements
Policy LA5	-	Protection of Trees, Woodlands and Hedgerows
Policy LA6	-	Landscape Schemes
Policy NC1	-	Biodiversity and Development
Policy NC5	-	European and Nationally Protected Species
Policy NC6	-	Biodiversity Action Plan Priority Habitats and Species
Policy NC7	-	Compensation for Loss of Biodiversity
Policy NC8	-	Habitat Creation, Restoration and Enhancement
Policy NC9	-	Management of Features of the Landscape Important for Fauna and Flora
Policy HBA4	-	Setting of Listed Buildings

3. Planning History

- 3.1 No previous planning applications on these two fields, however the following planning applications adjoin the Nine Wells site.
- 3.2 DCCW2004/0804/F Proposed erection of permanent polytunnels. Withdrawn 18th January, 2005.
- 3.3 DCCW2005/0698/F Siting of polytunnels in connection with raised bed strawberry production. Withdrawn 18th August, 2005.
- 3.4 DCCW2006/2534/F Retention of polytunnels in connection with raised bed strawberry production. Refused 24th October, 2006. Appeal to be heard 11th December, 2007.

4. Consultation Summary

Statutory Consultations

- 4.1 Environment Agency: Further to our letter dated 25 September 2007, I refer to the letter dated 19 October 2007 and enclosures which was received on 24 October 2007.

Information received: Water Resources and Surface Water Flood Risk Clarification, JDIH, (October 2007).

Flood Risk/Surface Water

Our Development Control (Flood Risk) team has reviewed the addendum and we note that Table 7 and Table 8 have been amended to confirm with PPS25 requirements and now include a 20% increase for rainfall intensity. We would have no adverse comments regarding the surface water runoff proposals based on the further information as submitted and recommend that the surface water scheme be

implemented in accordance with the Drainage Appraisal Report (dated August 2007) including Addendum dated October 2007 to prevent the increased risk of flooding.

Water Resources

We note the further clarification submitted as part of this application to address water resource considerations. This utilises information presented with the previous application (DCCW2006/2534/F) including Environmental Statement for the siting of polytunnels on land at Brook Farm.

The report confirms that the planning application will not result in an increase in abstraction over the current situation and we note that based on the information submitted the impact of abstraction on the Q95 flow in the River Lugg is 'insignificant in terms of flow rate and volumes' and 'will not have an impact on the River Lugg SSSI or River Wye SAC'. We have no information available to us to propose a position contrary to the conclusions of the addendum, namely that there will not be an impact on flow rate or volume.

The report also confirms the use of water efficient methods of growing matching irrigation to the exact plant requirement are employed on site.

On the basis of the above we have no objection in principle to the proposed development.

4.2 Natural England: Comments awaited.

Internal Council Advice

4.3 Traffic Manager: No objection subject to a condition precluding HGV access to the adjoining highway network.

4.4 Head of Environmental Health & Trading Standards: No objection. This development has not given rise to any environmental health related problems.

4.6 PROW: The proposed retention of polytunnels will affect public views from various public rights of way in the Parish of Marden, in particular footpath MR22A which cuts west to east across the middle of the polytunnels. A site visit confirms that whilst the footpath is open at ground level the polytunnel sheeting is completely above the heads of workers giving a sense of being indoors. Some sheeting has fallen and blocked paths. We wish to object to any proposal that covers the public right of way with polytunnel sheeting and suggest that there should be a minimum gap of 2 metres either side of the centre line of the public footpath where there is no polytunnel structure.

The total loss of any close or long distance views for such a significant length of footpath (approximately 140 metres) is not acceptable, as the enjoyment of the footpath is very significantly reduce.

4.7 Conservation Manager (Ecology): Comments awaited.

4.8 Conservation Manager (Landscape): Brook Farm is located on the north-western edge of Marden. This area is described as Principal Settled Farmlands in the Landscape Character Assessment. The application site comprises two separate fields, one to the north of Brook Farm and one to the east of Brook Farm.

North-West Field

This field slopes down from north to south, to a small watercourse that runs along its southern edge. The field is bounded to the north by the minor road to The Vault and to the west by the Bodenham - Marden minor road. There are tall hedgerows along both of these roadside boundaries. There is a small area of woodland to the east of the field. Footpath MR21 is to the east of this area of woodland, running from the minor road to The Vault, southwards to Marden and Burmarsh.

With regard to the Landscape Assessment by the Cooper Partnership, I consider that their identification of representative views towards this field is comprehensive and that their assessment of the visibility of the site from the identified viewpoints is accurate. It does not appear that there are views of polytunnels on this field from private properties in the vicinity of the site.

Turning to the impact on the surrounding landscape character, I am in agreement with the principal findings of the Landscape Assessment. Where there are long distance views, such as from Dinmore Hill, the polytunnels on this north-west field do not have significantly more impact than the existing polytunnels in the central part of the landholding at Brook Farm. With regard to short-distance views, from the adjacent minor roads, views are restricted by the field hedgerows, which have now grown tall enough to screen the polytunnels. There are only glimpsed views of the polytunnels through gateways. Views from the public right of way MR21 are screened by the area of woodland with only a glimpsed view through a gateway at the northern end of the footpath.

South-East Field

This field is bounded to the north by bridleway MR20 and to the east by bridleway MR19. Footpath MR22A runs across the field. There are open post and wire fences along these boundaries. The field occupies the most elevated area of land within the landholding at Brook Farm, with part of the land rising to a level of 75m AOD. With regard to the topographical position of the field in relation to Marden, the land falls to the south, where it meets a low field hedgerow that separates the application site from a small pastoral field. The pastoral field rises gently to the south, and adjoins the rear gardens of houses at Hawkersland.

With regard to the Landscape Assessment by the Cooper Partnership, I consider that they have identified most of the representative views towards the site, but I consider that some of the key views, from Hawkersland, has not been considered, in particular views from the southern part of bridleway MR19, where it passes between Hawkersland Cottages and the hall and the views from the houses which back onto the small pastoral field. I address this issue below. Otherwise, I am in agreement with the principal findings of the Landscape Assessment - that there are limited views of the south-east field due to the topography of the area and intervening vegetation and that with regard to long-distance views, polytunnels do not have significantly more impact than the existing polytunnels.

Relationship of the polytunnels on the south-east field with Hawkersland

Selecting viewpoint H, which shows a glimpsed view of the polytunnels from the minor road at Hawkerland, downplays the fact that polytunnels impinge significantly on views from the houses which look across to the application site. While it would be possible to reinforce the low field hedgerow, which divides the small pastoral field from the application site, with additional hedgerow trees, this would only screen the polytunnels on the lower slope of the field. Polytunnels on the highest part of the field would still be

visible. I am concerned that polytunnels on the southern part of the field impinge on the setting of Marden to an unacceptable degree, due to the topographical position of the field in relation to Hawkersland. If the proposal was to rotate the polytunnels, then the intermittent nature of the visual intrusion might be acceptable. However, the fact that polytunnels on this field would be permanent, tips the balance the other way. As stated in my memo dated 6th September 2006, from a landscape perspective I consider that it is essential to maintain a sufficiently wide area of land to act as a buffer between the village and the polytunnels. Given that this field is more elevated and consequently polytunnels on it would be more prominent, when viewed from the south, then the distance between the houses and the area of polytunnels needs to be increased. I consider that the proposal, as it stands, is not acceptable from a landscape perspective.

However, I consider that there is a compromise option that would be visually acceptable. There is potential to plant a new field hedgerow and hedgerow trees, running east-west, across the field, at a higher elevation - perhaps along the northern edge of footpath MR22A, and to site polytunnels only to the north of this hedgerow. This would have a number of benefits. The new hedgerow and trees would screen the polytunnels more effectively from views from footpath MR22A and from the houses to the south, because it would be at a higher elevation than the existing low hedgerow between the application site and the small pastoral field. The sub-division of the application site into two smaller fields is appropriate because it would tie into the mosaic of small fields and orchards (character area V). There is the option of planting an orchard in the southern part of the application site, which would further enhance the landscape quality of the buffer zone and which would improve biodiversity interest.

Conclusion

North-west field: polytunnels would be acceptable on this field and the landscape enhancement and mitigation proposals put forward are acceptable, because they are appropriate to the landscape type Principal Settled Farmlands.

South-east field: the proposed area of polytunnels is not acceptable as it stands. If the proposal were revised in line with my recommendations above, I would consider it to be acceptable, from a landscape perspective.

Accordingly I recommend that you advise the applicant to reconsider the proposals for the south-east field.

Comments on the revised landscaping proposals are awaited and will be reported verbally.

5. Representations

5.1 Marden Parish Council: At a recent meeting, Marden Parish Council resolved to make the following comments on this application.

1. Despite requests from the Parish Council for clarification, and your efforts to reply, the Council is still uncertain about what is being applied for. It appears the agents for the applicants are seeking approval for permanent polytunnels and the Parish Council would be opposed to this.

2. The Parish Council has no difficulties with the North-East site given it is relatively remote from the village and sheltered from view, but the Parish Council would like to see a time limit placed on any permission.
3. The Nine Wells site is in the direct view of a number of houses at Hawkersland Cross and the polytunnels have been in place for some years. These houses also have polytunnels to their fronts, and the Parish Council considers the retention of these polytunnels to be an unwarranted intrusion in the view from these houses and their amenities. This part of the application is therefore opposed.

5.2 Thirty four letters of objection have been received, the main points raised are:

1. The polytunnels are ruining our beautiful county. They are unsightly for home owners, visitors to the village and workers.
2. The run-off from fields is causing flooding regularly on some roads together with large amounts of mud.
3. The effect on local wildlife and habitats has been very detrimental and this would be exacerbated by prolonging the period the polytunnels remain.
4. Large vehicles are constantly moving traffic through the village to the factory and damaging verges and bridges.
5. The existing polytunnels are extremely close to properties in the area.
6. Polytunnels have increased the extraction of water drawn from the local river.
7. Long term effects on soil fertility.
8. The proposal is contrary to UDP Policy E13 in that the development has adverse impacts on residential amenity and the environment and is not well related to existing development and landscape.
9. Restriction on early starts and late night operating are fundamental if approval is granted.
10. The large scale developments around Marden makes a severe and adverse impact on the landscape, the setting of the village and on the residential amenity. It is therefore contrary to policies contained in the UDP.
11. The landscape appraisal with the planning application is flawed as it starts from a baseline that polytunnels were there previously. This is ludicrous. The comparison should be between open farmland and polytunnels.
12. The tunnels are fed through trickle irrigation and therefore need water.
13. More fruit growing will require more labour.
14. This application only covers two fields and the cumulative impact of all the fields needs to be considered.

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

6. Officer's Appraisal

6.1 This planning application has been submitted following investigation by the Council's Enforcement Team. The proposal seeks to retain approximately 14 hectares of polytunnels on two separate fields which are being used to grow blackberries and raspberries in plastic grow bags.

6.2 The proposal has been assessed with respect to the following issues:

1. Principle of Development
2. Visual Impact
3. Traffic Impact
4. Drainage and Flooding
5. Ecology
6. Footpaths/Amenity
7. Cumulative Impact

Principle of Development

6.3 The polytunnels are being used to cultivate produce being grown in 7 litre grow bags and are an experimental polytunnel crop. PPS7 recognises the important and varied roles of agriculture, including the maintenance and management of the countryside. It also acknowledges that policies should support development that enables farming and farmers to:-

1. Become more competitive and sustainable.
2. Adapt to new and changing markets.
3. Comply with changing legislation and associated guidance.
4. Diversify into agricultural applications.
5. Broaden their operations to 'add value' to their primary product.

This proposal seeks to deliver these policies through the expansion of the business into different crops to meet the market demand and improve the quality and quantity of fruit delivered through this form of operation. However, as this is an experimental cropping method, permanent provision is not considered acceptable.

Visual Impact

6.4 The Council's Landscape Officer has fully assessed the proposal and his comments are included within the report. There are no significant concerns with regard to the field to the northwest subject to the landscape enhancement and mitigation proposals put forward in the Landscape Assessment Document that accompanied the planning application.

6.5 However, serious concerns have been expressed in relation to the field to the southeast. This field is crossed by a public footpath and there are views from residential property to the south at Hawkersland. These concerns were raised with the applicant's agents together with the compromise position put forward by the Landscape Officer. This was to plant a new hedge along the northern side of the public footpath that crosses the site. This would screen the polytunnels more

effectively as it is at a higher level than the hedge at the bottom (south) of the field and it will create a subdivision of the polytunnels. This will create a new field which would tie in with the mosaic of small fields characterised by this area and generally enhance the current field pattern as well as reduce the area of land currently being utilised for polytunnels. The applicant has submitted a revised landscaping scheme which addresses these concerns including hedgerow and orchard planting as requested. The revised scheme requires further assessment by the Landscape Officer and the recommendation reflects this.

Traffic Impact

- 6.6 Both of these fields are located in areas adjacent to the existing farm where existing internal access tracks are used rather than the public highway. The applicant's agent has confirmed that all heavy goods vehicles pass through Brook Farm as the adjoining network is too tight for HGVs. This therefore reduces traffic on the roads together with the associated erosion of grass verges and deposits of mud.

Drainage and Flooding

- 6.7 The drainage and flooding aspects of this proposal have been fully assessed by the Environment Agency and Members will note that they raise no objections to the method of trickle irrigation and the drainage regime employed. The concerns of local residents regarding flooding and silt are noted, however it is the polytunnels to the south of Marden that have created the majority of this problem whereas in this case the topography to the land and the alignment of drainage channels does not result in any problems with rapid run-off onto the highway.

Ecology

- 6.8 A Habitat Survey has been submitted with the planning application which is being assessed by the Council's Ecologist. The conclusions identify that no mitigation or further survey work is required and it is unlikely that there will be an "in principle" objection to the proposal in ecological terms. However, the recommendation reflects the need for the Council's Ecologist to formally comment.

Footpaths

- 6.9 The Public Rights of Way Manager has raised concerns regarding the enjoyment of the footpath (MR22A) and surrounding countryside with the effective enclosure of the path. The polythene is presently removed from tunnels and any replacement needs to ensure that it does not cover the footpath. This can be achieved by means of a condition. In addition a 2 metre wide width either side of the footpath will be conditioned.
- 6.10 The proposed planting of the hedge on its northern boundary will also reduce the visual impact of the polytunnels to footpath users. Whilst this is a concern it is not considered sufficient on this aspect alone to refuse the application taking into account that the footpath also passes through the adjoining area of table top polytunnels which are the subject of an appeal and where this was not a ground for refusal.

Cumulative Impact

6.11 The cumulative impact of polytunnels is a major concern in the county and in particular Marden. However these two fields are well related to the farm complex at Brook Farm and are contained within areas considered acceptable in landscape terms.

Conclusion

6.12 Whilst the concerns of the PROW and local residents are noted, it is considered that this proposal to retain the two areas of polytunnels are acceptable in landscape impact terms and address the other key issues of drainage and ecology in an acceptable manner. It is acknowledged that polytunnels are highly controversial but having regard to all material considerations, these two relatively small areas are recommended for approval.

RECOMMENDATION

That temporary planning permission be granted subject to confirmation of the acceptability of the revised landscaping scheme and Habitat Survey and the following conditions:

1. **E20 (Temporary permission) (21st November, 2012).**

Reason: To enable the local planning authority to give further consideration of the acceptability of the proposed use after the temporary period has expired.

2. **The polythene shall be removed by 31st October each year and not replaced until or after 1st March in the following year.**

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

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. **G11 (Retention of hedgerows (where not covered by Hedgerow Regulations)).**

Reason: To ensure that the application site is properly landscaped in the interests of the visual amenity of the area.

6. **Within one month of the date of this permission, details of signage including proposed locations demarking the public rights of way that cross the site shall be submitted to and approved in writing by the local planning authority. The signs shall be installed within a further two months of the date of their approval and retained whilst polytunnels remain on the site.**

Reason: In order to protect the integrity of the Public Rights of Way.

- 7. Notwithstanding the submitted plans the polytunnels south of Public Footpath MR22A shall be removed within three months of the date of this planning permission.

Reason: In order to protect and enhance the visual amenity of the area.

- 8. All access to and from the two fields subject of this permission shall be by means of internal roads at Brook Farm, Marden and not direct from the public highway.

Reason: In the interests of highway safety and residential amenity.

Informatives:

- 1. N19 - Avoidance of doubt.
- 2. N15 - Reason(s) for the Grant of PP/LBC/CAC.

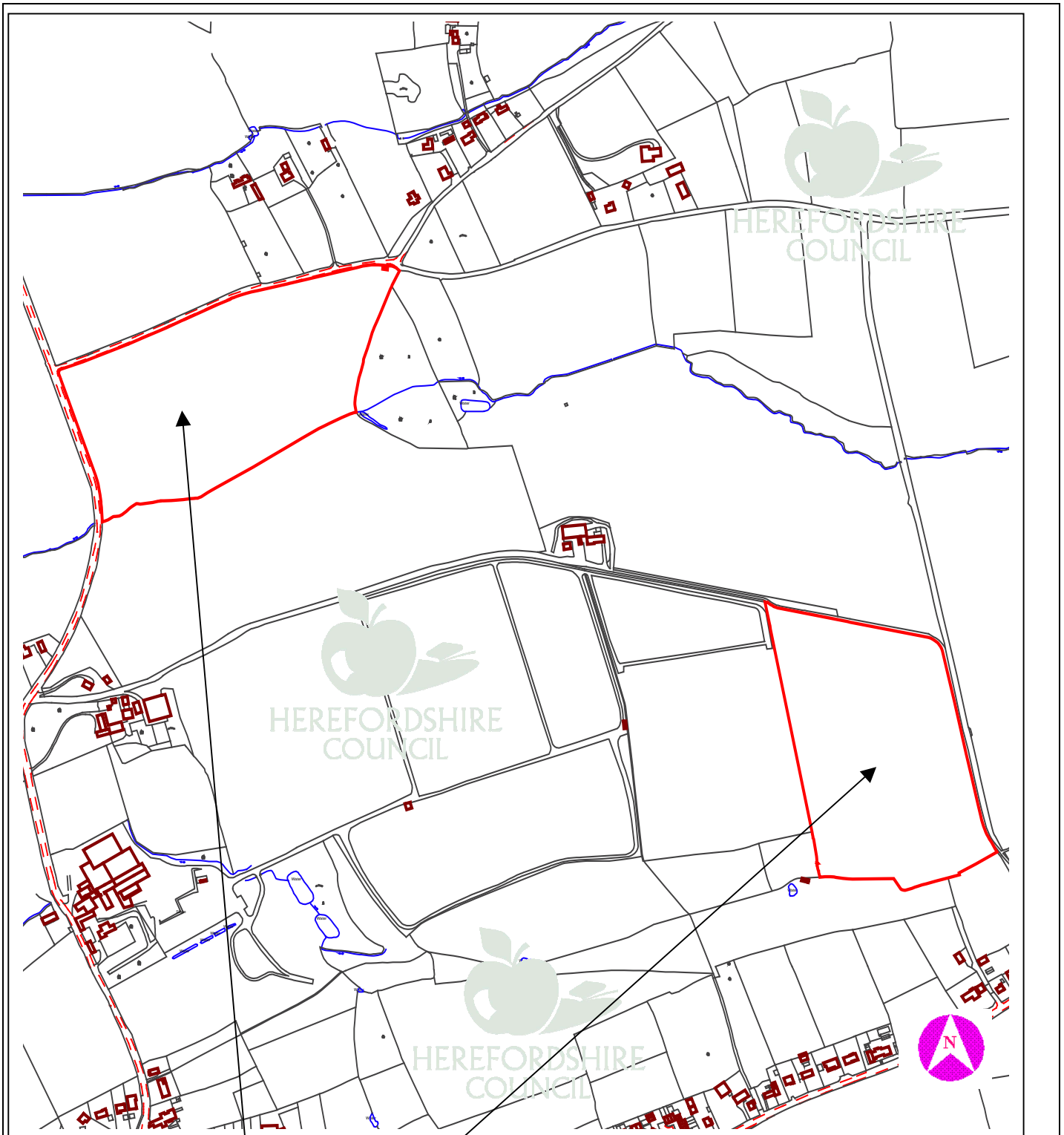
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCW2007/2689/F

SCALE : 1 : 6950

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