

6 DCSW2007/3075/F - EXTENSION OF AGRICULTURAL BUILDING, LAND ADJACENT TO HOLYWELL FARM, BLAKEMERE, HEREFORDSHIRE, HR2 9JY.

For: Mr JR Stevens, Harefield, Almeley Road, Eardisley, Hereford, HR3 6PP

Date Received: 1st October, 2007 **Ward: Golden Valley** **Grid Ref: 37270, 41248 North**

Expiry Date: 26th November, 2007

Local Member: Councillor PD Price

1. Site Description and Proposal

- 1.1 The parcel of land lies to the south of the C1192 Blakemere to Preston-on-Wye road. The land is a rectangular shape and slopes southerly from the main road, measuring approximately 0.37 hectares. The land is within open countryside with Holywell Farm to the west and two residential properties located to the east, known as Spring Cottage and The Old School House.
- 1.2 The application proposes the extension of an agricultural building situated to the northwest of the parcel of land. The extension would measure 9.144m x 7m x 3.3m. The building will be finished in anthracite coloured composite panels to match the existing building.
- 1.3 The building will provide for a workshop, storage of equipment and materials and a bottling room in connection with bee keeping. No hives are kept on the site.

2. Policies

2.1 Planning Policy Guidance

PPS1	-	Delivering Sustainable Development
PPS7	-	Sustainable Development in Rural Areas

2.2 Herefordshire Unitary Development Plan 2007

Policy S1	-	Sustainable Development
Policy S2	-	Development Requirements
Policy S4	-	Employment
Policy DR1	-	Design
Policy DR2	-	Land Use and Activity
Policy DR3	-	Movement
Policy DR4	-	Environment
Policy DR13	-	Noise
Policy E6	-	Expansion of Existing Businesses
Policy E8	-	Design Standards for Employment Sites
Policy E11	-	Employment in the Smaller Settlements and Open Countryside
Policy E13	-	Agriculture and Forestry Development

3. Planning History

- | | | | | |
|-----|-----------------|---|---|---------------------------------------|
| 3.1 | NW2002/3537/O | Site for two detached houses | - | Appeal dismissed
09.07.03 |
| | SW2003/2811/S | General purpose agricultural building and proposed new road | - | Planning permission required 09.10.03 |
| | SW2003/3390/F | General purpose agricultural shed and new access road | - | Approved 21.01.04 |
| | DCSW2007/1932/F | Extension of agricultural building | - | Refused 17.08.07 |

4. Consultation Summary

Statutory Consultations

- 4.1 No statutory or non-statutory consultations required.

Internal Council Advice

- 4.2 The Traffic Manager has no objection.

5. Representations

- 5.1 The applicant has submitted a Design and Access Statement and supporting information which is in summary:-

- Extra space required purely for storage and would only be accompanied by a small amount of extra activity. Working in cramped conditions at the present time causes extra work and loss of time and income.
- Understand complaint about bees around the shed. This only happens at extracting time, which is only twice a year (May and July). Unloading is done as fast as humanly possible.
- Existing screen hedge will block view of shed in future. Considering planting a faster growing screen next to the original one.
- Impractical for business to be run on an industrial site because it does attract bees.
- Most of maintenance is done during winter and early spring.

Supporting Information

- Account information of applicants showing turnover and gross income
- An ordnance survey map showing apiary and pollination locations in the ownership of the applicant in relation to the application site
- Details of industrial units available in the area and reasons as to why they would not be suitable for the purpose required
- Extract of article on the Economic Value of Bees in the UK

- 5.2 Wyese Parish Council supports the proposal.

5.3 1 letter of objection has been received from:

Mr and Mrs Foulds, The Old School House, Blakemere, HR2 9JY in which the following main points are raised:

- Need to maintain a balance between the needs of (new) developments and the needs of local residents.
- Recent application for a shed extension, which was identical to this current one, was refused in August 2007. No material considerations have changed and it would be inconsistent for the council to grant permission when it has been asked to deliberate on this same issue on two separate occasions.
- Planning permission for an agricultural shed was granted in January 2004, after a previous application for a larger shed has been withdrawn after discussion with and advice from the council. Made clear that the potential for development on the site was limited due to the size of the plot and the proximity of residential properties.
- Enterprise has developed well beyond the capacity of the current shed within the short space of only 2 years and there is now a demand for more space. Supporting documents indicates that the business has not reached full capacity. Obvious that further expansion is planned at some time in the future.
- Over the last 2 years the business has failed to demonstrate that it can operate without causing problems and without affecting the amenity of local residents.
- Mostly operated at weekends and during public holidays. Site is used for the assembly and repair of hives. This requires the use of machine tools for long periods that produce an intermittent nuisance.
- The expansion being demanded by this business without any controls is likely to give rise to an increased level of hazardous incidents involving bees.
- Suggest use of alternative premises such as are available on small industrial estates. Has been rejected on grounds of cost and likelihood of objections from other site users due to the presence of bees. Information indicates a highly profitable small business which could well afford to rent premises. Bee nuisance seems not to be a consideration here although there are residential properties surrounding this small site.
- Assembly side of business could be transferred elsewhere which would abolish intermittent noise nuisance.

5.4 The applicant has responded to the objection and provided the following comments:

- Father and I are third and fourth generation beekeepers starting as a hobby now increased to bee farmer levels, need to extend shed as business will be only source of income in the future.
- Farming enterprise is not large scale actually modest compared other bee farmers in the country. It is good 30 metres away from all properties.
- As to loss of amenity to local residents there are only three houses, which can be concerned with the business, have spoken to two householders who have no complaints with regards to the business and no objections to the extension
- Made every effort to keep disturbance to a minimum. Only noise has been use of a generator that was used before electricity connected. Used a table saw outside because there was not enough room in the shed - happy for council to monitor noise levels.
- Will have to work some weekends, only trying to make an honest living
- Do burn on site this is to reduce risk of spreading disease. Wood is not treated with harmful chemicals as would cause adverse effects on bees
- Contactable to assist if swarms are found in area

5.5 1 letter of support has been received from:

Mr David Woolley, Spring Cottage, Blakemere, Hereford, HR2 9JY in which the following main points are raised:

- Although objected to original application to erect building, have come to accept its presence and find it does not create the problems originally feared.
- Building is being used in accordance with original decision. Noise from site has been minor and has not disturbed us. Vehicles accessing site, and using lane, have been so few as to cause no problem. Not seen large vehicles on the site.
- Although property is the one most affected by visual intrusion of the present building, the proposed extension would not significantly increase such intrusion. Profile and colour of existing building must be maintained and existing trees in the copse must be retained.
- Use should be classed as agricultural, being an integral part of support for beehives and of handling the resulting honey. Importance of bees to agricultural and horticultural production, particularly in a fruit-producing county, goes without saying.
- Scale of the proposed extension should be judged within reason, in the context of the business as a whole, rather than the size of the field where it stands. Account should be taken of the contribution the extension could make to the viability of the business.
- Enterprise makes a much-needed contribution to the rural economy, helps a young person to play a full part in that economy, and is therefore one that should be encouraged.

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 The main issues for consideration of the application are:

- whether it is an acceptable location for the expansion of the business;
- whether the extension of the building is acceptable in terms of siting and design and;
- the impact of the extension on the amenity of neighbouring dwellings.

6.2 A planning application (DCSW2007/1932/F) was refused on 17th August 2007 for a similar extension to that currently proposed. The current application however, contains supporting information that was not submitted with the previous application. This information aims to justify the extension of the existing building and the need for the expansion of the business in this location.

6.3 Permission was granted for a general purpose agricultural shed and new access road on 21st January 2004. The building was to be used for extracting honey, melting wax, jarring honey, workshop for assembling hive parts and frames, making syrup to feed bees and storage purposes. No active hives were to be kept on the site. These activities do not strictly fall within the definition of agriculture in planning terms. In reality, planning permission was granted for an industrial use of the building. This application proposes to extend the building to provide more space and improve working conditions within the building.

- 6.4 It is accepted therefore that there is an existing business on site. Policy E6 supports the expansion of existing businesses providing that they can be satisfactorily accommodated within the existing site and that the proposal is of a scale and character appropriate to the locality and complies with the criteria of Policy E8 – Design standards for employment sites. Proposals for employment purposes should provide for adequate infrastructure and the protection of the amenity of the surrounding land uses.
- 6.5 The applicant has submitted an ordnance survey map indicating the location of the application site in relation to the position of their permanent apiaries and pollination sites. The application site is considered to be in a sustainable location relative to the operation of the business and the location of the hives.
- 6.6 In addition, the applicant has submitted details of buildings available to rent from the Councils' commercial property register and those available through local estate agents. An explanation has been provided as to why each building would be an unviable option namely, through size and distance from hives. There is also a cost implication. Account information has been submitted indicating the annual turnover of the business and gross income of the appellant. This information suggests that renting premises is a viable option.
- 6.7 In practical terms, whilst no bees are kept on site, some are transported inadvertently to the buildings when the 'supers' or 'brood boxes' are being changed/cleaned. It is questionable whether this business is suited to an established industrial site or in an isolated rural location, where there are two residential dwellings 30 metres from the building.
- 6.8 It is considered that the applicant has satisfactorily demonstrated that there are locational requirements for the business to expand on this site and, explained the reasons as to why the use could not be more appropriately sited within an established industrial area.
- 6.9 In terms of siting and design, the parcel of land measures 82m x 32m and provides a buffer zone of trees to the west with scattered trees and hedging to the southern and eastern boundaries. The area to the northwest is set back and cannot be seen from the roadside. The existing building is situated to the northwest against the backdrop of trees and in relation to the existing agricultural building at Holywell Farm. The extension would extend into the northwest corner of the site towards an existing copse. A condition would be attached to ensure that the copse is retained in perpetuity. In terms of the impact on the rural surrounding area, it would be seen against the backdrop of trees to the west and copse to the northwest and is therefore visually screened within the wider context of the countryside. The siting and design is considered acceptable.
- 6.10 The proposed site is accessed via an existing access and track with a turning area adjacent to the building. The existing visibility at the access is acceptable and it is advantageous that the removal of the hedgerow is not required. The applicant has stated that there will be no demonstrable increase in traffic movement at the site. The Traffic Manager raises no objection to the scheme.
- 6.11 Concern has been expressed about noise emanating from the activity on site and the impact on amenity. The majority of work occurs within the building and the proposed extension will provide further space for the activities to occur within the building. There are two activities that have to take place outside of the building, namely scorching

brood boxes to eliminate the wax moth and sawing large pieces of wood. It is proposed to condition these practices so that they only occur within restricted hours. In addition, a working hours condition will be applied to ensure that the business operates between certain hours during the week and is limited at weekends and public holidays.

- 6.12 A laurel hedge partially screens the existing building from The Old School House. A condition will be attached to ensure that a further native hedgerow is planted along the line of the existing laurel hedge to further protect the amenity of the dwelling.
- 6.13 During processing the original planning application (DCSW2003/3390/F) the size of the building was reduced following concerns that its size and mass would be excessive for the narrow parcel of land and result in an impact on the amenity of neighbouring properties. The current application will result in a building the same size as that previously proposed in 2003 and refused in 2007. A balance needs to be struck between the impact of the proposal and the operational needs of the business. The applicant has submitted supporting information that satisfactorily demonstrates that the locational needs of the business outweighs the identified impact of the proposal.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

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

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

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

Reason: To ensure the satisfactory appearance of the development.

- 3. The hours during which working may take place shall be restricted to 8.00am to 5.00pm Mondays to Saturdays and 8.00am to 1.00pm Sundays, Bank or Public Holidays.**

Reason: To safeguard the amenities of the locality.

- 4. No open air operation of plant, machinery or equipment shall be operated within the application site outside the following times - 9.00am to 1.00pm on weekdays nor at any time on Sundays, Bank or Public Holidays.**

Reason: In order to protect the amenity of occupiers of nearby properties.

- 5. The premises shall be used for activities in connection with beekeeping and for no other purpose (including any other purpose in Class B1 of the schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).**

Reason: The local planning authority wish to control the specific use of the land/premises, in the interest of local amenity.

- 6. No active beehives should be kept anywhere on the application site.**

Reason: To protect the amenities of nearby properties.

7. G09 (Retention of trees/hedgerows)

Reason: To safeguard the amenity of the area.

8. G12 (Planting of hedgerows which comply with Hedgerow Regulations)

Reason: To ensure that hedges planted are ecologically and environmentally rich and to assist their permanent retention in the landscape.

9. G05 (Implementation of landscaping scheme (general))

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

Informative(s):

1. N19 - Avoidance of doubt

2. N15 - Reason(s) for the Grant of Planning Permission

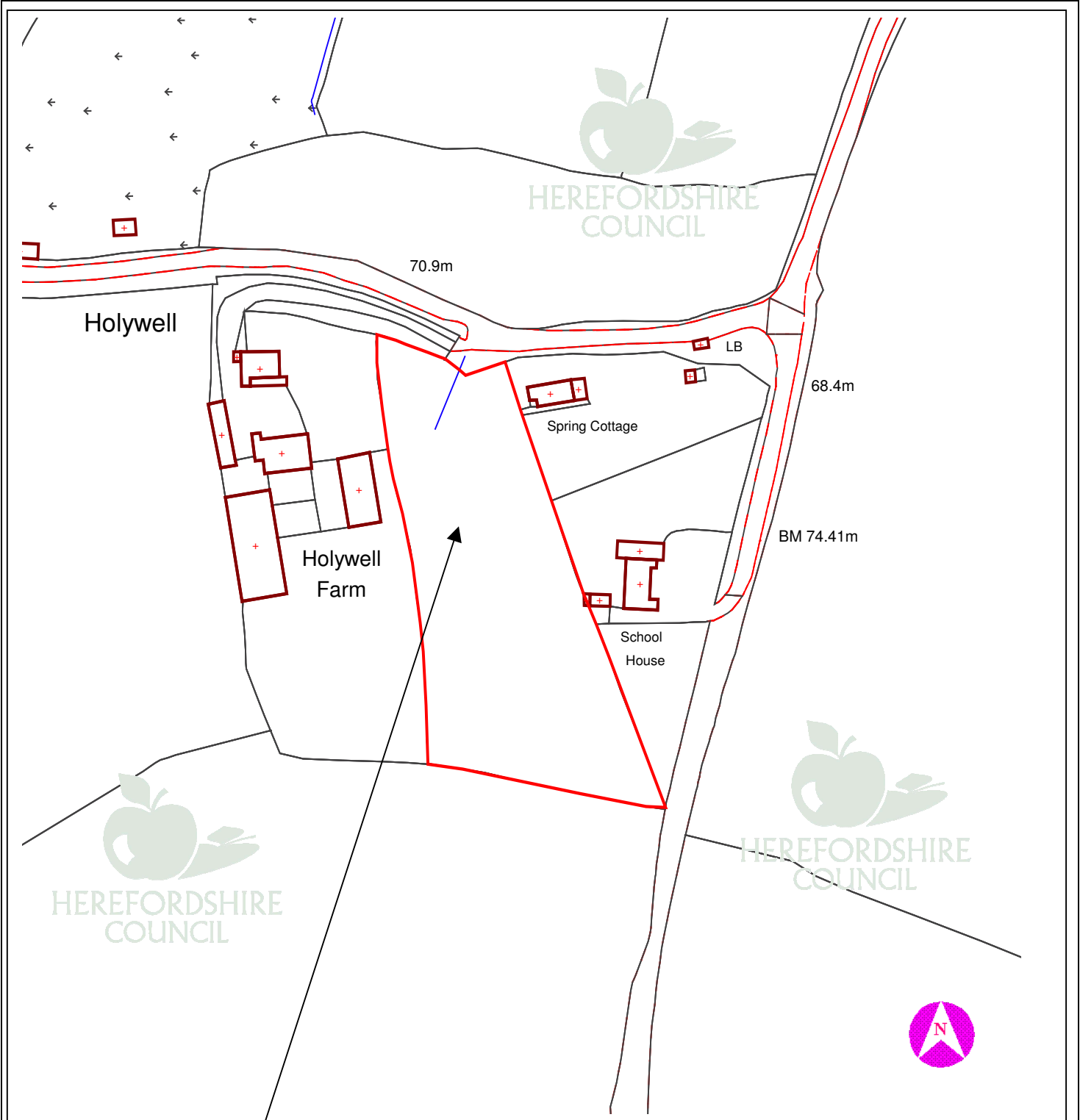
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSW/2007/3075/F

SCALE : 1 : 1250

SITE ADDRESS : Land adjacent to Holywell Farm, Blakemere, Herefordshire. HR2 9JY

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