

Background

My client, as I understand you are aware, is an agricultural contractor who has been servicing the local agricultural community for the last 30 years. Whilst the business has been successful during that period, its growth has been fettered by Mr Cole's inability to secure appropriate storage premises for his vehicles and equipment. Accordingly, he has been forced to use a number of largely open areas at various locations including land adjacent to his home at Coughton and land at Monmouth, Tewkesbury, and Michaelchurch Escley. He has also been forced to leave plant and machinery on open, unprotected sites overnight. The consequence of such arrangements is that the business has failed to achieve its optimum efficiency and it has been affected by vandalism and other operational problems.

Being located at Coughton Mr Cole has therefore naturally sought to consolidate the business within the locality. As you know, however, he has failed to secure an authorised site, the recent application for planning permission adjacent to Orchard House having been withdrawn and an application made to seek a Certificate of Lawfulness having been rejected by our Authority. Additionally, it has been stressed by your Authority to my client that he is currently occupying his site without the benefit of planning permission and enforcement action is therefore pending. The current application is therefore submitted with the express purpose of securing a permanent removal of unauthorised storage uses on the land adjacent to Orchard House and the equally permanent establishment of the storage requirements of his business within a purpose-made building at Thorny Orchard. Implicit in the application is a proposal to retain the engineering works that have been undertaken at the latter site.

The Proposal

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The proposal entails the following:

- 1 The retention of the existing engineering works which have created a level platform with sufficient capacity to accommodate the proposed landuse.
- 2 The retention of the works undertaken to improve the existing access point, together with additional works to secure a turning radius commensurate with the requirements of your Authority.
- 3 The closure of two other existing accesses onto the adjacent highway.
- 4 The construction of a single storey storage shed with sufficient capacity to accommodate the plant and machinery that is essential to allow my client to continue his business.
- 5 Landscaping works including, in particular, the construction of a landscape bund and tree planting in the location that respects the local topography whilst at the same time provides an effective visual screen to the building.

Potential Impacts

It is appreciated that the site lies outside the established settlement limit. Nevertheless, it is wholly in the control of my client and within close proximity to his existing business location. Having attempted to secure premises elsewhere in the locality, particularly existing brownfield development sites, without success it is therefore the only option open to my client which allows him to secure alternative accommodation before enforcement action threatens to close his business.

Having said that, the visual impact of the proposal will be minimal due to the fact that the building is to be cut into the hillside with a floor level some 5 – 8 metres lower than the retained slope along the site's south-eastern boundary. With an eaves height of 6 metres and a ridge height of 8 metres the building when viewed from long distance vantage points to the west will sit within the landscape and its visual impact will be substantially mitigated by the topographical and woodland back-cloth that surrounds it.

Additionally, it is proposed to construct a landscaped earth bund of 4 metres height above the floor level of the building in a configuration that runs parallel to its north-western elevation. That, combined with the tree planting proposed on top of it and in its vicinity, will because of the degree of angle from the valley below effectively screen the building in its entirety from what will probably be regarded as being the more sensitive receptor locations in the area.

It should be noted that the public footpath that abuts the site's south-eastern boundary will be unaffected by the proposals, as will a badger sett known to exist to the north-east of the site but well outside any area of concern and, in particular, the zone in which a Badger Licence would be required to undertake any earth or building works.

The proposed access arrangements have derived from a meeting held on site between Mr Christopher Knock and your Senior Engineer (Development Control), Graham Delal. His requirements for visibility splays in both directions, for a radius of 8.5 metres, for a maximum gradient of 1 in 12 and for the entrance gates to be set back from the access are all met by the proposal, as confirmed in his letter of 24th March 2003 to Chris Knock. The proposal also has the added advantage of closing two other existing access points along the site frontage, thereby reducing the potential for vehicular conflict in the locality.

It is considered, therefore, that despite its open countryside location the proposal offers, through design and topographical/landscape mitigation, an acceptable solution to this otherwise elevated location.

Policy Context

It is appreciated that the application needs to be assessed against the context set for it by primarily, in this instance, the adopted South Herefordshire District Local Plan. In that respect:

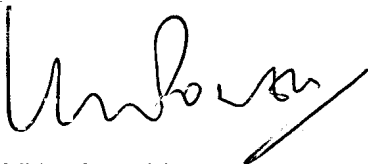
- 1 The proposal has a direct relationship to the local agricultural economy and is especially justified bearing in mind the need for it to be located within the locality and the history of enforcement action that has threatened its future at its existing main site. The proposal is considered, therefore, not to be contrary to Policy C1.
- 2 It is appreciated that the application site sits within the Wye Valley AONB where, under Policy C4, the priority will be towards the protection and enhancement of the area's natural beauty. However, the proposal is small in scale and the design is particularly tailored towards its proposed function and the quality of the local environment. The landscaping proposals, and the intention to nestle the building within the local topography, will have a minimal adverse affect upon the special scenic quality of the landscape and the local environment. The proposal is one that is regarded as essential to meet both the local needs of the agricultural community and to support the essential agricultural economy of those

communities. The proposal does not compromise the general development criteria of Policy GD1, and it is therefore considered that the requirements of Policy C5, specific to the AONB, are met.

- 3 Likewise, the choice of materials is appropriate to the locality; the landscaping proposals will be effective and complementary to the existing topography; the volume of additional traffic generated upon the local road network will be minimal; all the necessary parking requirements can be accommodated within the site; and it is therefore considered that the proposal is not in conflict with Policy C6.
- 4 Neither is the proposal considered to be in conflict with the objectives of Policy C8 which deals with development within Areas of Great Landscape Value. That is a policy, of course, that now has reduced relevance since the designation is proposed to be deleted upon the adoption of the Herefordshire Unitary Development Plan.
- 5 The proposal complies with Policy ED5 in that it comprises the expansion of existing business in a countryside location that fulfils the criteria of Policy ED3 in that it is appropriate in scale; has no adverse effects upon the environment and amenity value of the surroundings; has adequate vehicular access, servicing and parking arrangements; and fulfils generally the criteria of Policy GD1.
- 6 Finally, as the proposal is for a small scale project on an appropriate site within the countryside; it is essential for sustaining the agricultural economy within the locality; and it is necessary to maintain the viability of a business which is threatened by enforcement action at its current premises, the proposal is not in conflict with Policy ED6.

In these combined circumstances, therefore, I shall be grateful if you will register the application and proceed with its determination. In the event that you require any additional information, please do not hesitate to come back to me.

Yours sincerely



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Encls

cc: Simeon Cole
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