

**13 DCCW2008/1590/F - GENERAL PURPOSE AGRICULTURAL BUILDING, ASSOCIATED EXTERNAL HARDSTANDINGS AND IMPROVED ACCESS AT LAND ADJACENT TO HOLBACH, SUTTON ST. NICHOLAS, HEREFORD, HEREFORDSHIRE, HR1 3HH**

**For: Mr. C. Powell per Mr. P. Dunham, Paul Dunham Associates, 19 Townsend, Soham, Cambridgeshire, CB7 5DD**

**Date Received: 13 June 2008**

**Ward: Sutton Walls**

**Grid Ref: 54649, 48467**

**Expiry Date: 8 August 2008**

Local Member: Councillor KS Guthrie

**1. Site Description and Proposal**

- 1.1 The application site is comprised of an agricultural field extending to 1.6 hectares situated on the southern side of an unclassified no through road that serves the hamlet of Holbatch.
- 1.2 The applicant until recently carried out their agricultural enterprise from Amberley Court (which lies to the south of the application site) but due to the need to settle inheritance obligations this property was sold in 2007. Although the applicant retained ownership of the application site, they now rely on rented land to continue with their agricultural enterprise, and although retaining storage facilities at Amberley Court no longer have an operating base.
- 1.3 The application seeks permission for the erection of a general purpose agricultural building, which will provide a secure storage facility for the applicants agricultural enterprise, which in total extends to a little under 240 hectares made up of 6 separate parcels of land which are rented by the applicant. The exact location and size of each of these parcels of land can be found by referring to the planning file.
- 1.4 The proposed building has a floor area of 527m<sup>2</sup> with an overall height of 9.5m falling to 7m at the eaves, externally the building will be clad in self-coloured profile sheeting. The building will stand within an area of hard standing extending to approximately 2500m<sup>2</sup>, including a new access point onto the adjoining public highway.
- 1.5 The overall appearance of the proposed development is agricultural in nature, and as such it is not untypical of the type of complexes that can be viewed elsewhere within the wider rural landscape.

**2. Policies**

**2.1 Herefordshire Unitary Development Plan 2007:**

Policy DR1 - Design  
Policy E13 - Agricultural and Forestry Development

### 3. Planning History

- 3.1 DCCW2007/3942/S This Prior Notification for the erection of a general purpose agricultural building was refused on the grounds that the proposed development required planning permission as it exceeded the limitations for permitted development as set out in Class A, Part 6 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995. Refused January 2008.

### 4. Consultation Summary

#### Statutory Consultations

- 4.1 None.

#### Internal Council Advice

- 4.2 Traffic Manager: No objection.

### 5. Representations

- 5.1 Marden Parish Council: The Parish Council would like to know in more detail about the use of the proposed building. If it is to be used for crop storage, how much traffic will be generated, and will there be noise associated with storage machinery such as fans etc. Because of these uncertainties, the Parish Council is opposed to the application as it is felt it would be obtrusive to neighbours and would lead to an unsustainable amount of heavy traffic in the narrow approach road.
- 5.2 Bodenham Parish Council: No objection.
- 5.3 Seven letters of objection have been received from Mrs. Tutty, Camp Cottage; Mr. & Mrs. Coates, Amber Cottage; Mr. Sayer, Newlands; Mrs. Kelly, Amberley Croft and Mr. Johnson, Oakridge, which are summarised as follows:
- What are the details about, staff numbers, vehicle movements, working hours etc.
  - Having sold off the original farm, renting land is not a firm business footing, in terms of long term viability.
  - The site is totally unsuitable for the proposed development as it is predominantly a residential area.
  - The area is unsuitable for a large agricultural business.
  - The application site is accessed via a single track no through lane, without passing places and soft verges, this road is not large enough to cope with the proposed development and associated traffic.
  - Access from the side road onto the C1125 is on a sharp bend that has a history of accidents.

- We are already suffering from the activities of S&A Davies leaving mud on the highway in the vicinity, we don't need any more.
- The end of Holbatch Lane is a bridleway, if permitted this development will harm the recreational pleasure of walkers and horse riders.
- If the agricultural activity ceases will this become a business park.

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 The application is for agricultural development which accords with the objectives of Policy E13, and as such is acceptable in principle. Therefore the primary issues for consideration in determining this application are considered to be the impact of the proposed agricultural development on the residential amenity of the wider locality, as well as highway safety.
- 6.2 Although the comments raised in the letters of objection are noted, this is a rural area, which accommodates a significant number of agricultural businesses of various scales and intensities. Therefore it is not considered that a refusal on the grounds of incompatibility with the wider locality could be defended at appeal.
- 6.3 With regard to the concerns raised about noise and other disturbance including the issue of drainage appropriate conditions have been recommended to mitigate the impact of the proposed development. Including the requirement for a landscaping scheme to help screen the development from the dwellings lying to the west.
- 6.4 Furthermore a further condition limiting the use of the building to the agricultural activities of the applicant is recommended in order to prevent the property being as a storage facility for a potato merchant or any other similar activity.
- 6.5 The Traffic Manager has raised no objection to the proposed development, therefore in the absence of any objection from the Traffic Manager, it is not considered that the concerns raised in the letters of representation can be substantiated as grounds for refusal on highway safety grounds.
- 6.6 Overall, the application complies with the relevant policies in the development plan, and as such, approval is recommended.

## **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. The premises shall not be used for the storage, processing or distribution of any crop whatsoever which have not been grown or produced by the occupier of the building.**

**Reason: To define the terms of the permission and for the avoidance of doubt in the interests of local amenity to comply with Policy DR1 of the 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. H06 (Vehicular access construction).**

**Reason: In the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.**

**5. 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.**

**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. I20 (Scheme of surface water drainage).**

**Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal and to comply with Policy DR4 of Herefordshire Unitary Development Plan.**

**9. I24 (Standard of septic tank/soakaway system).**

**Reason: To prevent pollution of the water environment and to comply with Policy DR4 of Herefordshire Unitary Development Plan.**

**10. I32 (Details of floodlighting/external lighting).**

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

**Informatives:**

**1. N19 - Avoidance of doubt - Approved Plans.**

**2. N15 - Reason(s) for the Grant of PP/LBC/CAC.**

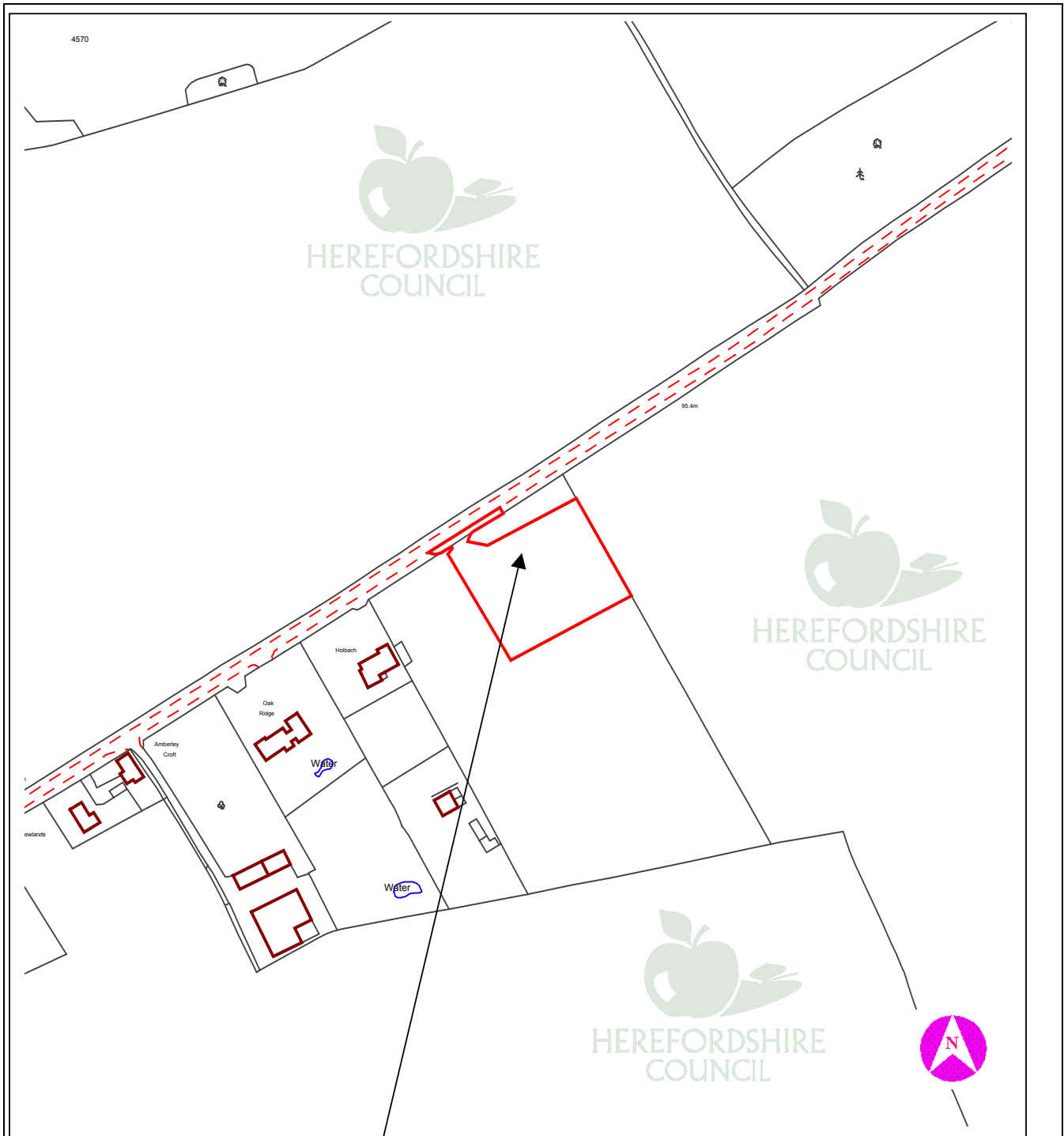
Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** DCCW2008/1590/F

**SCALE :** 1 : 2500

**SITE ADDRESS :** Land adjacent to Holbach, Sutton St. Nicholas, Hereford, Herefordshire, HR1 3HH

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