

2 DCNW2003/1854/F - HARDCORE AREA FOR USE AS SHEEP PENS AND PARKING FOR FARM MACHINERY AT FIELD NO. 0533, CROOKMULLEN, DEERFOLD, WIGMORE, HEREFORDSHIRE**For: Mr E.G. Thomas, 73 Kings Meadow, Wigmore.****Date Received:**
19th June 2003**Expiry Date:**
14th August 2003**Ward:**
Mortimer**Grid Ref:**
39102, 68359

Local Member: Councillor Mrs O Barnett

Introduction

This application was deferred at the last meeting of the Northern Area Planning Sub-Committee on 15 October 2003 in order for a site visit to take place. In addition to this further clarification has been received in respect of the size of the holding and the nature of the use.

It is advised that the land at Crookmullen comprises a single 12.5 acre field with a further 1 acre parcel some 6 miles away from the site. The applicant intends to rent more land in the locality to meet the grazing requirements of the proposed sheep enterprise.

The nature of the proposed enterprise will involve the purchase of a flock of 50 breeding ewes, the off spring of which will be sold. This will inevitably involve a level of vehicular activity into and out of the site but not to such a degree that the existing access would need to be widened or greater visibility achieved than is otherwise the case.

The additional information indicates that regular inspections will be required in order to satisfy welfare codes and clarifies by reference to an indicative plan the way in which the hardstanding area will be utilised. In addition to the holding and shedding pens there will be a requirement to store fodder and water as well as park machinery and trailers.

The original report and recommendation remain unchanged and are set out in full below.

1. Site Description and Proposal

- 1.1 The application site comprises a strip of agricultural land located immediately to the east of an unclassified road (UC92017) between Wigmore to the east and Lingen to the west.
- 1.2 The site is set back behind an existing hedgerow and the land rises in a westerly direction away from the roadside boundary. The site and surrounding countryside are designated as an Area of Great Landscape Value and whilst the prevailing character of

the area is defined by agricultural and forestry uses there are a number of scattered properties visible immediately to the south.

- 1.3 Retrospective planning permission is sought for the retention of an area of hardstanding measuring from 36 metres by 18 metres and an area of levelled spoil to it's immediate south. The spoil area comprises the earth removed to form the hardstanding. The edge of the hardstanding area is formed by a battered embankment.
- 1.4 The hardstanding area is required to provide a dry, mud free area for the handling of the applicants sheep. The intention is to run a flock of at least 50 sheep.

2. Policies

Hereford & Worcester County Structure Plan

Policy CTC 2	Areas of Great Landscape Value
Policy CTC 6	Landscape Features
Policy CTC 9	Development Requirements
Policy A1	Development Requirements
Policy A3	Agricultural Buildings

Leominster District Local Plan (Herefordshire)

Policy A1	Managing the Districts Assets & Resources
Policy A2(D)	Settlement Hierarchy
Policy A9	Safeguarding the Rural Landscape
Policy A10	Trees and Woodlands
Policy A24	Scale and Character of Development

Herefordshire Unitary Development Plan (Deposit Draft)

Policy E16	Agricultural and Forestry Development
Policy LA2	Landscape Character and Areas Least Resilient to Change
Policy LA5	Protection of Trees, Woodlands and Hedgerows

3. Planning History

- 3.1 None relevant.

4. Consultation Summary

Statutory Consultation

- 4.1 None required.

Internal Consultation Advice

- 4.2 The Head of Engineering and Transportation raises no objection subject to conditions relating to visibility, the positioning of gates and the provision of turning space within the site.
- 4.3 The Chief Conservation Officer objects on the grounds of the visual impact of the hardstanding and embankment.

5. Representations

5.1 Wigmore Parish Council raises no objection.

5.2 A total of 4 letters of objection have been received from the follows persons :

- M Phillips, Chapel Cottage, Crookmullen, Deerfold, Wigmore, HR6 9UQ (2 letters)
- M Milburn, Crookmullen Cottage, Wigmore, HR6 9UQ
- M Pollitt, Chapel Farm, Wigmore, HR6 9UQ

5.3 The concerns raised can be summarised as follows :

- no functional need for the development
- no economic requirement given small scale nature of the business
- harm to the character of the Area of Great Landscape Value
- loss of hedgerow through widening of the existing access
- not required for agricultural purpose but rather for equestrian activities
- site very untidy - if permission granted appropriate conditions should be attached
- hardstanding may be the thin end of the wedge
- plans inaccurate in terms of the size of hardstanding

5.4 A total of 3 letters of support have been received from the following :

- John Horlock & Associates (Veterinary Surgeons), 40 Etnam Street, Leominster
- NFU (West Midlands Region), 42 Broad Street, Leominster, HR6 8BS
- Mr Wooley, Dairy House Farm, Lingen, Shropshire SY7 0DZ

5.5 The points raised are as follows :

- dry area is essential in a property where sheep are kept and handled
- facilities will help with compliance with animal welfare legislation and good agricultural practice set out in DEFRA guidelines

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

6. Officers Appraisal

6.1 The key issues for consideration in the determination of this application are as follows :

- a) the justification/need for the hardstanding area and;
- b) the impact of the proposal on the character and appearance of the Area of Great Landscape Value

Justification for the Hardstanding Area

6.2 Policy A3 of the Hereford & Worcester County Structure Plan indicates that application for agriculture development should be treated sympathetically where a need can be shown. In this case the views of the local residents and those of the applicants' veterinary surgeon and the NFU are polarised. In this instance it is considered that greater weight should be attached to the animal husbandry requirements and on balance therefore it is considered that a need is justified.

- 6.3 In reaching this view attention has been given to the applicants particular circumstances whereby he does not have access to existing handling or storage facilities in the locality and the relative visual impact of the hardstanding area, an issue that is considered in more detail below.
- 6.4 It should be stressed that the case for the handling and storage area is based on the agricultural use proposed and any grant of planning permission would not infer any rights for the use of the land for equestrian related activities. A note covering this matter, which is a particular concern of a number of local residents, is set out in the recommendation below.

Character and Appearance of the Area of Great Landscape Value

- 6.5 Significant concerns have been expressed locally regarding the visual impact of the hardstanding area and the retrospective nature of the application. It is also advised that the Chief Conservation Officer has raised concerns regarding the engineered appearance of the area in question and its prominent location in the landscape.
- 6.6 It is acknowledged that the site currently appears somewhat untidy and it is considered that the harsh edge of the hardstanding area as defined by the unseeded embankment is not in keeping with the sloping character of the site.
- 6.7 Notwithstanding this it is considered that the exercise of conditional control over the treatment of the embankment, the roadside hedgerow/access and additional landscaping would enable improvements to appearance of the site to be achieved so as to reduce its visual impact to an acceptable level.
- 6.8 In reaching this view due weight has been given to the arguments put forward in respect of need and the recommendation therefore represents a balanced one that may not overcome the concerns of local residents but will, in reasonable time, satisfy relevant planning policy. It is also advised that any permission granted would only relate to the use of the hardstanding area for agricultural purposes and would not permit any uses associated with equestrian activities. Furthermore this permission would not permit the erection of permanent buildings associated with the lawful agricultural use.

RECOMMENDATION

That planning permission be granted subject to the following conditions :

- 1 - Within one month of the date of this planning permission, a scheme of landscaping, including the treatment of the embankment, roadside hedgerow and additional planting, shall be submitted to the local planning authority. All proposed planting shall be clearly described with species and planting numbers.**

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

- 2 - All planting and seeding comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the date of such approval or in accordance with a programme agreed in writing with the local planning authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. If any plants fail more than once they shall continue to be replaced on an annual basis until the end of the 5 year defects period.

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

Note to applicant :

- 1 - The applicant is advised that this permission does not infer any rights to keep horses for non-agricultural purposes on the land or erect any permanent buildings or structures.

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.