

9 DCNE2008/2893/F - PROPOSED PURPOSE MADE SHEEP HOUSING POLYTUNNEL AT LAVENGER BANK, PETTY FRANCE, LEDBURY, HEREFORDSHIRE, HR8 1JG.

For: Mr J Bishop at the above address.

Date Received: 27 November 2008 Ward: Hope End Grid Ref: 73089, 40508

Expiry Date: 22 January 2009

Local Members: Councillors RV Stockton and R Mills

1. Site Description and Proposal

- 1.1 The application site, accessed from a C Class road, is located in open countryside, outside of and some distance from any designated main village or smaller settlement identified in the Herefordshire Unitary Development Plan (UDP). The nearest designated settlement is Colwall.
- 1.2 The application site is an agricultural field, of land gradually rising away from the road, adjoining the applicants agriculturally tied bungalow, and delineated by mature hedgerow and trees.
- 1.3 The proposal is for a purpose made sheep housing green coloured polytunnel, of dimensions 9.14 metres x 38.1 metres x 3.66 metres (30' x 125' x 12').

2. Policies

Herefordshire Unitary Development Plan:

DR1	-	Design
DR2	-	Land use and activity
E13	-	Agricultural and forestry development
LA1	-	Areas of Outstanding Natural Beauty

Supplementary Planning Document – Polytunnels

3. Planning History

- 3.1 DCNE2005/4045/F - Agricultural implement store - Approved with conditions, 8th February 2007

4. Consultation Summary

Internal Council Advice

- 4.1 The Council's Highways department makes no objection to the proposal.
- 4.2 The Council's Land Agent has been asked for comment and members will be updated at Committee of any response.

- 4.3 The Council's Environmental Health Officer makes no objection to the proposal.
- 4.4 The Council's Forward Planning Manager advises that the Polytunnel Supplementary Planning Document is not applicable to and written for this application, and that it is intended for use when assessing soft fruit and crop rotation type enterprises. UDP policy E13 is the appropriate policy against which this proposal is assessed.

5. Representations

- 5.1 The Parish Council has no objection to the proposal.
- 5.2 One letter of objection has been received from Mrs Camilla Wiggin, Fortune's Gate, Petty France, Ledbury, Herefordshire, HR8 1JG in letter dated 12th December 2008, the contents of which are:
- The proposal is located extremely close to (our) house
 - Impact upon other nearby properties
 - The location is beautiful and natural
 - Proposed building visible and opposite (our) home
 - Need is questioned
 - Suggest sheep can be lambed elsewhere
 - Better locations exist
- 5.3 The full text of these letters can be inspected at Northern Planning Services, Garrick House, Widemarsh Street, Hereford and prior to the Sub-Committee meeting.

6. Officer's Appraisal

- 6.1 The proposal follows pre-application discussions with the Local Planning Authority in which the location and proposed polytunnel were evaluated prior to the applicant's formal submission. The applicant has also discussed (his) proposal with immediate neighbours.
- 6.2 The applicant has a long established tenanted agricultural holding of some 400 acres, with a further 30 acres owned by the applicant in the immediate vicinity of Lavenger Bank, the applicants home. The enterprise comprises 800 breeding ewes, 50 head of beef cattle and 100 acres of arable land.
- 6.3 This LPA previously permitted the applicant an agricultural workers dwelling on adjoining land (Lavenger bank). That planning permission would have been granted on the basis of essential functional agricultural need and the business being viable.
- 6.4 The proposal is for a purpose made sheep housing polytunnel, of dimensions 9.14 metres x 38.1 metres x 3.66 metres (30' x 125' x 6'). The covering, which is green polythene, helps mitigate any landscape impact, covers the galvanised steel tubing, which provides the frame and structure.
- 6.5 Intended use is at any one time up to 250 sheep will be contained within the polytunnel during a specific 8-10 week lambing period. Around 200 sheep graze the field around where this is located. The applicants flock will rotate as required for use of the proposal. Normal welfare procedures will operate in respect of housing the sheep.
- 6.6 The location of the proposal, some 56 metres away from and in close proximity to the agriculturally tied property, is considered logical. Its location will allow the applicant to

- respond quickly to any animal welfare requirements at anytime of day or night, particularly essential when lambing season commences, and also allow a greater level of security given recent livestock theft. The proposed location also allows immediate ability to supply electricity and water.
- 6.7 One objection has been received from a neighbour. The points raised in the objection letter are addressed in turn:
- 6.8 UDP policy E13 lists the four key issues for evaluation proposals for agricultural development. Three are relevant in this application:
- Where the proposal is not located with existing buildings, development must be sited in order to assimilate into the landscape, taking advantage of the natural landform.
 - Avoid undue impact upon residential amenity
 - Relate well within their context, both existing development and landscape in terms of scale, design, colour and materials
- 6.9 The location of the proposal is within the Malvern Hills Area of Outstanding Natural Beauty, and development must have regard to any impact upon the character, intrinsic qualities and enjoyment of it. The AONB is also a working landscape in many parts, particularly livestock grazing. UDP policy LA1 allows for small-scale development, which respects the AONB to be permitted.
- 6.10 Given the topography of the land in this location, and the mature established hedgerow and tree line, the proposed polytunnel sits at the base of sloping ground and is screened within the immediate and wider landscape. In order to ensure the existing situation is maintained, a condition regarding the cutting, pruning and removal of the existing hedgerows and trees surrounding the site has been recommended.
- 6.11 In addition, using green covering also minimises potential landscape impact and helps assimilate the polytunnel within its locality. It is considered that the proposal has negligible landscape impact and therefore no detrimental impact upon the AONB.
- 6.12 The nature of the immediate area is open countryside with sporadic housing development (Lavenger Bank, Fortune's Gate, Yew Tree Cottage, and Lower Lodge). The proposal is not considered to unduly affect amenity and enjoyment of any properties named by virtue of distance and location in relation to the proposal, including the applicant's own property, Lavenger Bank.
- 6.13 The objectors property is the nearest residential property notwithstanding the applicants own, however it is approximately 80 metres and separated by a c class road, mature hedgerow which includes numerous trees. The nearest elevation of the objectors property is of such a distance and also so screened that it is not considered that an undue impact upon their residential amenity is created by the proposal.
- 6.14 With regard to the needs of the applicant, it is considered given the scale and nature of his enterprise – 400 acres comprising 800 breeding ewes, such a purpose built facility is justified and reasonably required. Although security is not a material planning consideration the applicant has suffered considerable theft of livestock. The welfare and functional need requirements of the enterprise is established by virtue of the permitted agricultural workers dwelling. The size of the breeding flock also demonstrates a reasonable requirement for the proposal.

6.15 Overall the proposal is considered acceptable and in accordance with local and national planning policies given the lack of any undue landscape impact and undue loss of amenity, privacy and the enjoyment of nearby residential properties. The recommended conditions will further ensure the landscape and wider open countryside is protected.

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 hereby permitted development shall incorporate the use of green polythene as per the supplied information date stamped 11th November 2008 for all aspects of the proposal which utilise and are covered by polythene and thereafter be maintained as such.

Reason: To ensure the proposal integrates within its open countryside location and to minimise impact upon the Malvern Hills Area of Outstanding natural Beauty, in accordance with Herefordshire Unitary Plan policies DR1 and LA1.

3 The hedgerow and trees which provide the road frontage shall not be cut, felled, pruned or removed without the written consent of the Local Planning Authority.

Reason: To ensure the proposal is screened within the landscape, protecting the character and appearance of the AONB and wider open countryside location, in accordance with Herefordshire Unitary Development Plan policies DR1 and LA1.

Informatives

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

2 N19 - Avoidance of doubt - Approved Plans

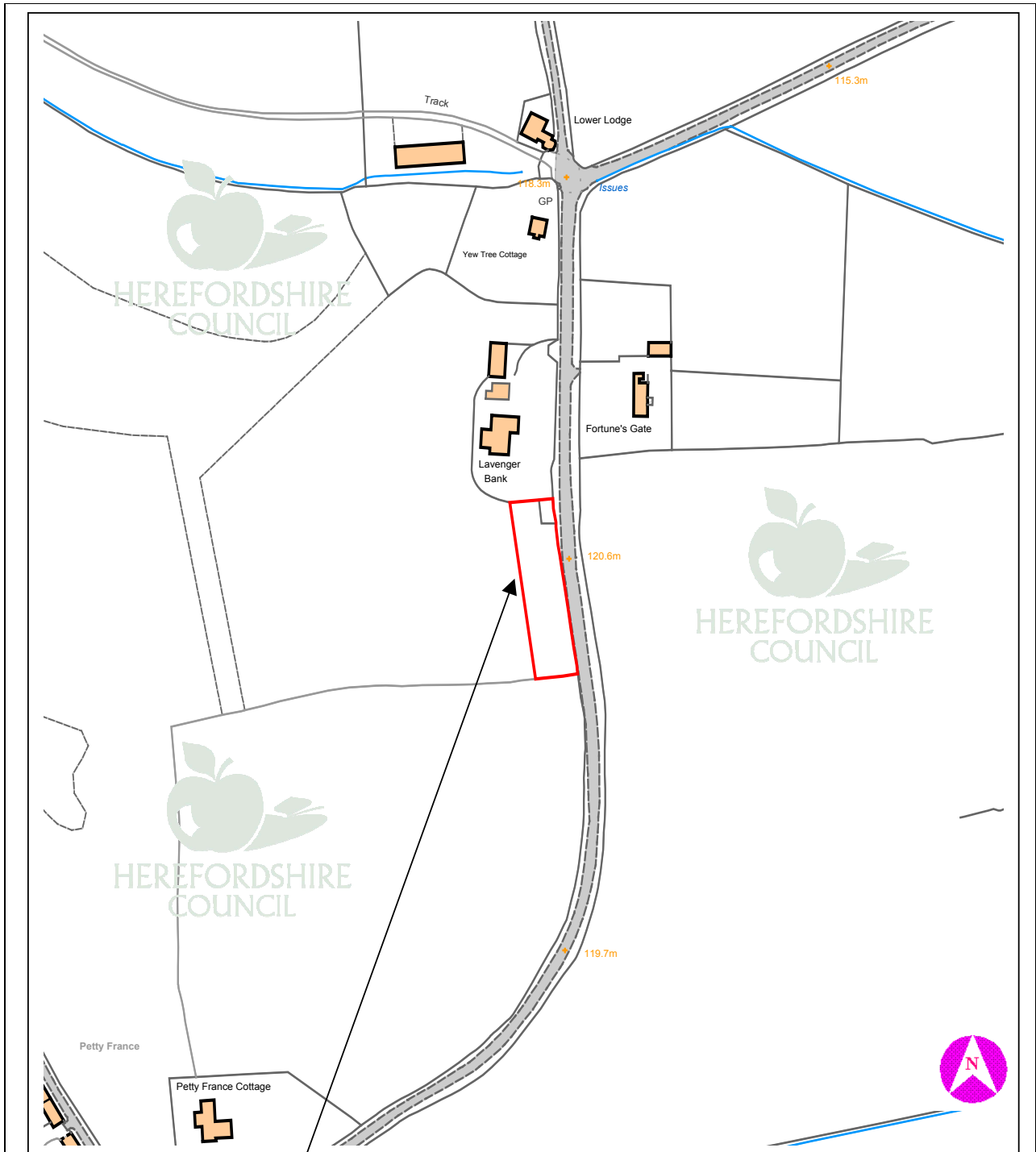
Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.



This copy has been produced specifically for Planning purposes. No further copies may be made.

APPLICATION NO: DCNE2008/2893/F

SCALE : 1 : 2500

SITE ADDRESS : Lavenger Bank, Petty France, Ledbury, Herefordshire, HR8 1JG

Based upon the Ordnance Survey mapping with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Herefordshire Council. Licence No: 100024168/2005

