

8 DCCW2009/0131/F - PERMANENT RETENTION OF FIXED (NOT ROTATED) SPANISH POLYTUNNELS FOR USE IN SOFT FRUIT GROWING (TABLE TOP METHOD) AS PREVIOUSLY APPROVED DCCW2003/2321/F & DCW2004/4212/F AT LAND ADJACENT TO BRICK HOUSE, BUSH BANK, CANON PYON, HEREFORD, HEREFORDSHIRE, HR4 8PH

For: Mr. V. Powell per Antony Aspbury Associates, 20 Park Lane Business Centre, Park Lane, Basford, Nottingham, NG6 0DW

**Date Received: 23 January 2009 Ward: Wormsley Ridge Grid Ref: 45241, 50661
[and adjacent to Golden Cross with Weobley]**

Expiry Date: 24 April 2009

Local Member: Councillor AJM Blackshaw

1. Site Description and Proposal

- 1.1 Brick House Farm is located on the western side of the A4110 Hereford to Leintwardine road at Bush Bank, Canon Pyon. Pyon House is located immediately to the east of Brick House Farm buildings.
- 1.2 The proposal is to retain 4.2 hectares of permanent Spanish polytunnels on two blocks of land to the east of Pyon House and split by the drive to that property.
- 1.3 The northern block is 1.62 hectares (23 tunnels) and the southern block 2.59 hectares (28 tunnels). The polytunnels contain strawberries grown in the table top method. The tunnels run in a north south direction and measure 3.6 metres high and 8 metres wide. The tunnels are set back from the driveway to Canon Pyon House, 14 metres to the south and 10 metres to the north giving a separation distance including the road of 30 metres.
- 1.4 The nearest residential properties are Pyon House which abutts the western boundary of the northern block and The Lodge located to the east sited alongside the A4110 road. Four further dwellings are located on the eastern side of the A4110 road, Teekoy, Fair View, The Elms and Bank View. The nearest of these dwellings to the polytunnels is of a distance of approximately 110 metres.

2. Policies

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|-----|--------|---|--|
| 2.1 | PPS 1 | - | Delivering Sustainable Development |
| | PPS 7 | - | Sustainable Development in Rural Areas |
| | PPS 9 | - | Biodiversity and Geological Conservation |
| | PPS 25 | - | Development and Flood Risk |

2.2 West Midlands Regional Spatial Strategy

2.3 Herefordshire Unitary Development Plan 2007:

Policy S1	-	Sustainable Development
Policy S2	-	Development Requirements
Policy S4	-	Employment
Policy S6	-	Transport
Policy S7	-	Natural and Historic Heritage
Policy S10	-	Waste
Policy DR1	-	Design
Policy DR2	-	Land Use and Activity
Policy DR3	-	Movement
Policy DR4	-	Environment
Policy DR6	-	Water Resources
Policy DR7	-	Flood Risk
Policy E13	-	Agricultural and Forestry Development
Policy T6	-	Walking
Policy T8	-	Road Hierarchy
Policy LA2	-	Landscape Character
Policy LA4	-	Protection of Historic Parks and Gardens
Policy LA5	-	Protection of Trees, Woodlands and Hedgerows
Policy LA6	-	Landscaping Schemes
Policy NC1	-	Biodiversity and Development
Policy NC5	-	European and Nationally Protected Species
Policy NC8	-	Habitat Creation, Restoration and Enhancement
Policy ARCH1	-	Archaeological Assessments and Field Evaluations

2.4 Supplementary Planning Guidance – Landscape Character Assessment (2004).

2.5 Supplementary Planning Document - Polytunnels

3. Planning History

- 3.1 DCCW2003/2321/F Erection of 1.62 hectares of Spanish polytunnels (23 tunnels in total). Temporary Planning Permission 29 October 2003. Expires 29 October 2009.
- 3.2 DCCW2004/4212/F Erection of 2.590 hectares of Spanish polytunnels for use in soft fruit growing (table top method). Temporary Planning Permission 9 March 2005. Expires 9 February 2011.
- 3.3 DCCW2005/2947/F Removal of condition 12 from planning permission DCCW2004/4212/F to allow the retention of two Spanish polytunnels. Approved under Planning Permission DCCW2003/2321/F. Refused 24 October 2005. Allowed on appeal 20 June 2006.

4. Consultation SummaryStatutory Consultations

- 4.1 Environment Agency: The proposed development is located in Flood Zone 1 (low probability) based on our indicative Flood Zone Maps. Whilst development may be appropriate in flood zone 1, Table D1 of PPS25 states that a Flood Risk Assessment (FRA) is required for 'development proposals on sites comprising one hectare or above' where 'there is the potential to increase flood risk elsewhere through the addition of hard surfaces and the effect of the new development on surface water run-off'.

A small portion of the site (0.1Ha) lies within Flood Zone 3, the high risk zone. However the impact of this is minimal and, as the application of for the retention of polytunnels, it would seem overly cautious to move them on account on a minimal infringement into Zone 3.

We note that a FRA has been submitted in support of the proposed development which addressed the above point.

Water Resources: With regard to Water Resources and irrigation, the development utilizes a 'table-top' regime as opposed to trickle irrigation. Irrigation water is sourced from an existing on-site reservoir, negating the need for any water abstraction. This accords with Herefordshire Council's Polytunnels SPD, which states that for small scale polytunnels, not proposing to use water irrigation from low flow rivers, a brief statement of water use and efficiency could suffice.

- 4.2 Dwr Cymru Welsh Water: No comments received.
- 4.3 Hereford & Worcester Gardens Trust: The Hereford and Worcester Gardens Trust strongly object to this application.

The site occupies the lawns and parkland of Canon Pyon House (Brick House), which is described by the Trust in The Survey of Historic Parks and Gardens of Herefordshire 2001), p.94. The Victorian house, with its 17th century origins, still stands within its 19th century pleasure grounds, with part of the walled garden adjoining. Thus, it would be possible for a discriminating owner to restore the historic setting of this property by reinstating the miniature park, which stretched up to the main road. This would enhance the local countryside and improve the local housing stock, hitherto blighted by the polytunnels. Indeed, the lodge, apparently recently abandoned, at the end of the east drive, would also become a desirable residence.

If permission for the fixed polytunnels is granted these options will be negated and the house itself, together with its attractive gardens and shrubberies, will continue to decline in character. As our Survey shows, many surviving historic landscapes lack the main house, which makes their preservation more difficult, whilst here at Canon Pyon House, we have a house of some distinction, simply waiting for a rejuvenated landscape. As you well know, UDP Policy LA4 urges the Council to take account of unregistered parks and gardens in the county. Just such a landscape exists here - with its unlisted mansion - and therefore, we urge the Council to refuse this application.

Internal Council Advice

- 4.4 Traffic Manager: Has no objection to the grant of permission.
- 4.5 Conservation Manager (Landscape): The proposal has been submitted with the benefit of a Landscape and Visual Impact Assessment (LVIA), which aims to address the likely

visual impacts of the proposed development and propose suitable mitigation for any identifiable adverse impacts on the character and quality of the landscape and visual envelop. Whilst the LVIA has identified most of the issues relating to this application, there are some significant omissions that have implications on the conclusions of the report and the subsequent proposed mitigation.

The LVIA has failed to identify that the location of the application site is entirely within the bounds of an Unregistered Historic Park & Garden (Canon Pyon House). As such, consideration of the application in relation to policy LA4 of the UDP has not been made. (This matter is considered further below).

The LVIA identifies that the application site is located in a complex landscape, at the intersection of a number of landscape types. The assessment relies heavily on National Character Area descriptions and the Herefordshire Landscape Character Assessment; the relevant parts of the documents are correctly identified. The assessment was carried out at a time of year (May) when visibility would have been restricted by vegetation, although this is noted in the study. If the Council is minded to approve this application, but condition a time period when plastic should be removed from the site (different from that expressed in the D&AS) then the type and extent of mitigating landscaping may be affected.

The LVIA repeatedly makes reference to 'well maintained hedgerows'; however, the majority of hedgerows in the vicinity have been over-maintained, are 'gappy' and low. The management and maintenance of hedgerows can be regulated through the application of conditions I believe already addressed by the Councils Ecologist.

The LVIA identifies that the Zone of Visual Influence is relatively limited and I would confirm that the extent of visibility is constrained to a degree by the local topography; however, this can also serve to concentrate the impact of a development as well as limit its visibility. Certainly this is the case when approaching the site from the south along the A4110 where the application site is in view and the visual envelop is confined to not much more than the site by the topography and vegetation. The application site becomes a prominent feature in the local landscape.

Viewpoints and photographs of the site are presented in the LVIA. The viewpoints where not agreed in advance with myself and whilst being generally representative, have been selected to present the site in a 'good' light (consider the view angle of viewpoint 13 and compare it to the actual view that some one travelling along the A4110 would have). The inclusion of two viewpoints where the site is not even visible is not considered as good practice.

Although making reference to the Guidelines for Landscape and Visual Impact Assessment, (2002) the LVIA fails to reasonably establish a baseline assessment for the character of the site and surroundings and whilst this and the limited assessment of viewpoints does not materially effect the overall assessment of impact, does have a bearing on the proposed mitigation strategy.

Development in open countryside brings about an inevitable change; however, positive contributions can be acquired by mitigating adverse impacts. In this case I am satisfied that the landscape has the capacity to accommodate the degree of change presented by the proposed development, subject to securing substantial landscaping and landscape management of the site and surroundings. As the assessment of the site has failed to identify the significant historic component of the site - the un-registered

historic park and garden - and has failed to fully address the local impact on the character of the landscape and visual sensitivity of the area, I do not consider the mitigation strategy proposed sufficiently robust. As such it is essential that a condition is attached to any planning permission given that requires the submission and approval of both a scheme of landscaping for the land within the applicant's ownership and a long-term (25 years) management plan.

As an example, the structure of the historic landscape should be restored and reinforced to an extent that goes beyond the replanting of recently lost hedgerows. Probably the most significant visual impact - the view from the south travelling along the A4110 (viewpoint 13) - should be mitigated through the planting of a woodland block, or belt, adjacent to the road. It should be noted that the planting of a block of woodland is alluded to in the proposed mitigation strategy, but the location and size of the block is not identified. Additional planting to the southern boundary, along the Wellington Brook, has already been identified; however, the extent of planting is insufficient (viewpoint 14). Substantial additional planting should be provided to the east of the site to mitigate identifiably negative views from Westhope and Westhope Wood (viewpoints 5 & 11).

In relation to Policy LA4 of the UDP it is arguable that the proposed development should not be considered acceptable, having a clear and demonstrably negative impact on an historic designed landscape; however, I would suggest that attaching a condition requiring the preparation and delivery of a management strategy, in conjunction with a landscaping scheme and management plan, which addresses the historic environment will be sufficient and reasonable in this case.

I do not consider the application of standard conditions to be appropriate in this situation, but that we should endeavour to be more specific in our requirements. It is questionable whether, with the limited information relating to landscaping provided, the application should be considered as addressing the contents of policies LA2 and LA6 of the UDP.

- 4.6 Conservation Manager (Ecology): I note that there is no ecological assessment of the site included within this application, but appreciate that there has been a previous permission for polytunnels on the site and that the tunnels have been in place for some time. I understand that there will be no rotation of the tunnels.

There are opportunities for enhancing this site for biodiversity. It is unfortunate that non-native species have been planted (as a windbreak or screening?) along the central track. I recommend that much greater emphasis be put upon strengthening the hedgerow and wildlife corridors around the site (notably the Wellington Brook along the south of the site) and extra planting of native species within the site. A habitat management scheme is required.

- 4.7 Conservation Manager (Historic Buildings): Given that Pyon House is set in extensive garden grounds, screened to the east by mature trees and the house is orientated to the south, its setting will not be affected by the proposed development.
- 4.8 Public Rights of Way Manager: The proposed permanent retention of Spanish polytunnels would not appear to significantly affect the use and enjoyment of public bridleway CP10, which passes along the outside of the north boundary of the application site, or public bridleway CP9, which passes along the outside of the west boundary of the site. However the following points should be noted:

The description of public rights of way in the Landscape and Visual Impact Assessment is inaccurate. In particular, the two bridleways passing along the boundaries of the site are described as footpaths, and also public bridleway KP7 runs west from Brick House.

A plan is attached to show the legal alignment of the public footpaths and bridleways recorded on the current definitive map in the vicinity of the site. For the avoidance of doubt, this should be the reference document when assessing visual impact on users of public rights of way when making a determination of this application.

In particular, it is noted on page 15 of the Assessment that 'Height of eye', is a principal factor which affects visual impact. The 'height of eye' of a rider on a horse is considerably greater than that of a pedestrian.

The proposals to mitigate close distance elevated view by reinstating historic hedgerows is noted, and presumably mitigation of visual impact will form part of the conditions attached to any approval for this application.

The loss of visual amenity is not significant from the highway authority's perspective, and the PROW Manager does not wish to object to this application, but any other opinions you receive on loss of visual amenity from public rights of way in the area should be taken into account when making a determination.

4.9 Land Drainage Engineer: Comments awaited.

5. Representations

5.1 Pyons Group Parish Council: Pyons Group Parish Council objects to the planning application for the following reasons:

1. It does not adhere to Supplementary Guideline 9: Residential Amenity - Distance from Dwellings. The proposed permanent polytunnels go right up to the boundary of Canon Pyon House on the east curtilage, whereas the Supplementary Planning Guidance stipulates "a minimum distance of 30 metres of the boundary of any residential curtilage and 50 metres of any dwelling whichever distance is the greater".
2. Although the Planning Inspector supported an appeal to DCCW2004/4212/F that then permitted the polytunnels to go to the boundary, there are now two significant material considerations that apply since that appeal:
 - i) The polytunnels at that time were to be a temporary structure and were to have been removed in October 2009. The application now is for a permanent structure, which is a different consideration;
 - ii) Herefordshire Council has developed a new Supplementary Planning Document, adopted on 5 December 2009, which is based on extensive consultation with the industry (agricultural), parish councils and residents of Herefordshire.
3. Further, the people living in Canon Pyon House have reported pesticide drift on a number of occasions from the polytunnels that abut their boundary. This has been of particular concern during the summer when the garden of Canon Pyon House is most affected. The buffer zone stipulated in the Polytunnels SPD is required for reasons of health and safety of the residents.

4. Permanent polytunnels right up to the boundary of Canon Pyon House will lead to a devaluation of the property without recompense, and the rights of this property owner should be protected.

Pyons Group Parish Council is supportive of the role of polytunnels. However, the Parish Council believes that this application for permanent polytunnels takes insufficient account of the impact on the residential amenity of Canon Pyon House.

5.2 Ten letters of objection have been received, the main points raised are:-

1. The development goes against the long term interests of Herefordshire as a growing and vibrant tourist industry and therefore sets a precedent for the further destruction of the English countryside.
2. SPD confirms that polytunnel development will not be permitted on registered parks and gardens and the same approach will apply to unregistered parks and gardens such as the grounds on which this application is sited.
3. The polytunnels have a hugely detrimental effect on the visual landscape and tarnishes the reputation of the county.
4. The abundance of polytunnels across the county cannot be argued to boost the local economy; no local employment, itinerant workers.
5. Herefordshire will become a plastic wilderness.
6. The original applications were granted without the benefit of the SPD and without the knowledge of the unregistered park and garden.
7. The landscape mitigation advised seven years ago remains inadequate.
8. Pyon House is overwhelmed by two large blocks of tunnels standing either side of its approach drive.
9. Pyon House should be a listed building and treated with appropriate protection against this development.
10. Nothing more ugly and alien to Pyon House than swathes of sagging plastic tunnels.
11. The Council should consider the loss of commercial asset if the activities and interest of Pyon House are forced to close. Its attraction to tourism, its reputation as a food gourmet centre, its services to surrounding schools and visiting children.
12. The amenity of Pyon House is downgraded due to its close proximity with noise, due to machinery, pickers and health risk due to spraying.

5.3 Sixteen letters of support have been submitted, the main points raised are:-

1. We would prefer that English supermarkets purchase their produce from English farmers rather than import.

2. Provides work for local pack house and the community.
 3. The land is well maintained.
 4. The countryside is a workplace and should not be treated merely as a tourist attraction.
 5. The polytunnels are essential due to the unreliable weather to ensure good quality fruit.
 6. The polytunnels ensure that Brick House Farm is a viable concern.
- 5.4 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 proposes the retention of 4.2 hectares of permanent polytunnels to be used for the table top production of soft fruit contained within two blocks located either side of the driveway to Pyon House.
- 6.2 The main issues in the consideration of the application are:-
1. Landscape Impact
 2. Impact on Pyon House and Unregistered Park and Garden
 3. Flood Risk and Surface Water
 4. Highways
 5. Economic Contribution
 6. Benefit of Polytunnels

Landscape Impact

- 6.3 The site and surrounding landscape does not form part of any national landscape designation. It is an unregistered park and garden and this is dealt with in the following section. A more specific definition of the landscape character of the site and surrounding area can therefore be found in the Council's Landscape Character Assessment. The site falls into two landscape classifications divided by the driveway to Pyon House. The north block is located within the Principal Settled Farmlands, which is the predominant landscape type in the lowland areas of central Herefordshire. The key element of this landscape type is that it has a more domestic character comprising mixed agricultural land use of grazed pasture, arable crops and orchards interspersed with winding roads and field margin hedges. Tree cover is most notable along stream sides and hedgerows. The mixture of agricultural use make up a rich patchwork which is typical of Principal Settled Farmlands. The intensification of agricultural practices has determined the landscape character over the last century by changing the historic field pattern through the removal of hedges. However the landscape character assessment indicates that this landscape type can accommodate some change.
- 6.4 The proposed tunnels are located within two distinct blocks. The northern block adjoins the eastern boundary to Pyon House where there is substantive tree and hedge coverage. The Inspector stated in the allowed appeal for retention of the tunnels on this boundary that the existing landscaping mitigated any impact. Additional

landscaping has been undertaken along the southern boundary adjacent to the driveway.

- 6.5 The southern block is located within the Wet Pasture Meadows classification. These landscapes are characterised by a regular pattern of hedges, fields and ditches fringed by lines of willow and elder. These landscapes have often been protected from change by the difficulty of cultivating soils with such poor drainage. However they are vulnerable to changing agricultural practices and should be retained or converted back to wet pasture. However in this instance only part of the area is being utilised on the upper slopes. Furthermore as the crops are grown out of the soil there is no change/detriment to the pasture meadow. The southern block adjoins the south side of the driveway and have also received landscaping together with enhancement of the adjacent hedgerows. However both blocks of tunnels are located within the pasture fields and do not overwhelm the fields but provide a distinct patchwork within the complex of field patterns in the area particularly when viewed from a distance.
- 6.6 Public vantage points are available from the A4110 road and footpath CP8 that runs north south to the west of the site and bridleway CP10 located to the north and east. Members will note that the Public Rights of Way Manager has raised no objections.
- 6.7 The Landscape and Visual Impact Assessment (LVIA) submitted with the application has been assessed by the Conservation Manager who is satisfied that subject to justification of the enhanced landscaping through the use of suitable conditions that the proposal is acceptable, particularly given the local topography of the site.
- 6.8 There are no other polytunnel developments in the area and therefore the development will not have any cumulative landscape impact. In fact polytunnels have been removed from other parts of the holding to concentrate on this site. Therefore, whilst the proposal will have an impact on the wider landscape this is mitigated by the local topography, existing landscaping together with enhanced landscaping which will form a requirement of this proposal.

Impact on Pyon House and Unregistered Park and Garden

- 6.9 Pyon House is the nearest residential property to the proposal and its drive dissects the two blocks of polytunnels. The impact of the tunnels on the amenity of the property was fully considered by the Inspector into the allowed appeal for retention of the two rows of polytunnels adjacent to the eastern boundary of Pyon House. The Inspector stated:

“The 2 tunnels subject to this appeal stand hard up against the boundary of Pyon House. They are formed of a tubular frame which is covered in polythene during the growing season. They measure about 4 metres in height, and have a span of about 8m and a length of some 100 metres. The tunnels are some 60 metres from the house itself and, although there are secondary windows on the eastern flank of the house which face the tunnels, the principal windows of the house face south. Because of this orientation and the separation distance, there would be no loss of privacy or loss of light within the house to the occupiers, and I am satisfied that the distance between the house and the tunnels is sufficient to mitigate any visual impact from inside.”

- 6.10 He subsequently confirmed that there was no significant harm. In addition the polytunnels are sited in accordance with the SPD Supplementary Guideline 9 being

more than 50 metres from the dwelling. Concern has been raised relating to spray drift from the tunnels. However the tunnels contain the spray and prevent drift.

- 6.11 The grounds on which the polytunnels are located are identified as an unregistered Park and Garden where Policy LA4 of the Herefordshire Unitary Development Plan confirms that they are afforded similar protection to a registered Historic Park and Garden. This protection seeks to ensure that development will not destroy damage or otherwise adversely affect the historic structure, character, appearance its features or setting. The Conservation Manager has assessed this aspect and his report clearly confirms that the degree of change created by this development can be accommodated within the Park subject to substantial mitigation over and above that proposed within the supporting documents. This can clearly be framed within appropriate conditions. References have been made to the Pennoxstone Court Appeal decision in relation to Poulstone Court, an unregistered Park and Garden. The Inspector found that polytunnels located in a field adjoining had a moderately adverse effect on the landscape. However each application must be considered on its own merits and whilst they are both unregistered Parks and Gardens it has now been confirmed that on this site a degree of change as proposed can be accommodated.
- 6.12 Finally, reference has been made to the setting of Pyon House and its potential to be identified as a Listed Building. The Conservation Manager has assessed the application and is satisfied that the proposal will not impact upon the setting of Pyon House.

Flood Risk and Surface Water

- 6.13 A flood risk assessment (FRA) has been submitted with the application it follows the guidelines of PPS25 and sets out calculations that were undertaken to assess 'Greenfield' run-off rates for the polytunnel areas and to then compare the predicted run-off rates to that of the polytunnel scenario. This comparison is based on the whole polytunnel growing area. It includes consideration of areas covered and not covered in polytunnels; drainage channels through the system; and storage in the form of ponds before the run-off exits down slope at the farm catchment boundary or into the local water course.

The emphasis is that the polytunnel drainage at Brick House is an agricultural drainage issue and not an urban drainage issue. Polytunnel drainage will be actively managed with appropriate placement of polytunnels to allow rainfall to be dispersed and infiltration to occur beneath the polytunnel cover along with wide buffer zones to aid control of run-off and mitigate erosion

The data has been assessed by the Environment Agency who have not objected to the proposal. They have advised consultation with the Council's Land Drainage Engineer whose comments are awaited. However, subject to these it would appear that the FRA is acceptable and that the ten polytunnels will not adversely impact drainage or flooding on or off site.

Highways

- 6.14 Access to Brick House Farm is by means of the access road to the north and not the drive to Pyon House. The Traffic Manager has confirmed no objections to the proposal. No objections are therefore raised on access grounds.

Economic Considerations

- 6.15 No economic impact assessment has been submitted with the proposal. However the holding provides permanent employment for three full time jobs and four part time jobs. These jobs are enhanced with the use of a seasonal workforce for preparation and picking of the crop.
- 6.16 It is recognised that table top soft fruit growing is far more productive than conventional ground based polytunnel growing producing approximately double the quantity of fruit per hectare. The design of the polytunnels which can be raised and lowered also assist in lengthening the growing season and maximising weather conditions to further improve productivity and the plants generally have greater longevity.
- 6.17 The development will also help achieve wider sustainability objectives in producing large quantities for quality soft fruit in the county, not only helping to sustain the agricultural industry but also reducing the need for imports thereby reducing food miles. The more intensive growing methods proposed in this application also assists in meeting the demands of the buyers (supermarkets) and ultimately the consumer in bringing the required quantity of fresh produce directly and swiftly to the markets. It is therefore accepted that the development will make a positive contribution to the rural economy which, in accordance with Guideline 1 of the Supplementary Planning Document, is a matter which can be given considerable weight in the assessment of the application.

Benefits of Polytunnels

- 6.18 It is necessary to weigh against the harm to the landscape the benefits of the use of polytunnels. There is no dispute that they have enabled greater quantities and better quality of soft fruit to be produced, nor that the success and viability of the business has made a positive contribution to the rural economy.
- 6.19 Planning policies at national, regional and local levels recognise the importance of the agricultural sector. PPS7 advises authorities to support development proposals that enable farming to become more competitive, sustainable and environmentally friendly and to adapt to changing markets. Herefordshire is part of a Rural Renaissance Zone defined by the Regional Spatial Strategy for the West Midlands (RSS), Policy PA15 seeks to promote agriculture and farm diversification, including new and innovative crops, on-farm processing and local marketing.
- 6.20 UDP Policy E13 deals with agricultural development and the supporting text refers to the need to balance landscape impact against the operational needs of agriculture, recognising that necessary developments are often prominent in the rural landscape.
- 6.21 Clearly, the recent development of large-scale polytunnel use has brought into stark opposition the aims of protecting the landscape, whilst supporting a viable farming industry.
- 6.22 There are two main benefits of polytunnels for British growers. They protect the developing fruit from rain damage, thereby greatly reducing losses from rot and fungus, whilst allowing continual picking at harvest time, unconstrained by the weather. It estimated that the wet summer of 2007 would have resulted in the loss of about 50% of crops without polytunnels. Secondly, they extend the growing season, allowing fruit

to be harvested from May to November, instead of being limited to extend the growing season.

- 6.23 Soft fruit growing, picking and packing is a labour intensive activity and this business makes a positive contribution to the rural economy. The farm employs 3 full time staff, 4 part time and 50 seasonal workers. By contrast an arable farmer will only employ himself for a holding of this size. The seasonal workers are mostly recruited from the Eastern European countries. It has generally been accepted at appeals that the seasonal workers spend about two thirds of their wages locally and save about one third to be spent in their home countries. Brick House is therefore an example of a reversal of the trend of following agricultural employment that has changed the character and demographics of the countryside.

Conclusion

- 6.24 The development will have a localised impact on the landscape and setting of the unregistered Park and Garden. However, through mitigation and enhancement the impact can be satisfactorily reduced to a level considered acceptable as identified by the Conservation Manager.
- 6.25 Impact on Pyon House is reduced due to distances involved, orientation of the building together with existing landscaping. This conclusion is compatible with the recent appeal decision. In addition spray drift is considered to be contained within the polytunnels.
- 6.26 Whilst the enhancement and mitigation will assist in the amelioration of the impact on the landscape and Pyon House they will still have an impact. However, this reduced harm is outweighed by the benefits of polytunnels.
- 6.27 Therefore the impact of the development together with the proposed mitigation and enhancement is considered to comply with the policies of the Development Plan. However, due to the changing nature of agriculture a permanent permission cannot be justified. The tunnels, whilst extensive, are of a temporary nature that warrants control within this sensitive landscape. This, however has to be balanced against the investment which in this instance has already been undertaken. Therefore a temporary permission of 10 years from the expiry of the existing temporary planning permission is considered appropriate.
- 6.28 It is therefore concluded that the benefits of polytunnels in enabling the production of increased quantities and quality of soft fruit, the sustainability benefits of reducing food miles and positive contributions made to the rural economy are all matters to which considerable weight should be accorded in the balance of contributions.

RECOMMENDATION

That temporary planning permission be granted subject to the following conditions:

- 1. F20 (Temporary permission and reinstatement of land) (ten years).**

Reason: In order to clarify the terms under which this permission is granted and in accordance with Policies DR1, LA4 and E13 of the Herefordshire Unitary Development Plan.

2. **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.

3. **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.

4. **G14 (Landscape management plan).**

Reason: In order to maintain the visual amenity of the area and to comply with Policy LA6 of Herefordshire Unitary Development Plan.

5. **G02 (Retention of trees and hedgerows).**

Reason: To safeguard the amenity of the area and to ensure that the development conforms with Policy DR1 of Herefordshire Unitary Development Plan.

6. **In the event of the polytunnels hereby permitted becoming redundant for the growing of soft fruit the polytunnels including support structure and tables shall be permanently removed from the application site within a period of 6 months.**

Reason: To ensure the removal of the redundant structures in accordance with Policy LA4 of the Herefordshire Unitary Development Plan.

7. **Within 3 months of the granting of planning permission, a scheme for habitat enhancement and management, including all adjacent hedgerows and Wellington Brook shall be submitted to the local planning authority for written approval. The scheme shall be implemented as approved.**

Reason: To comply with Herefordshire Council's Unitary Development Plan Policies NC6, NC8 and NC9 in relation to Nature Conservation and Biodiversity Action Plan habitats and to meet the requirements of PPS9 Biodiversity and Geological Conservation and the NERC Act 2006.

8. **None of the polytunnels hereby permitted shall be covered with polythene from November until December in any calendar year nor during the month of January and February in any calendar year unless otherwise agreed in writing by the local planning authority.**

Reason: To ensure that the visual impact of the development hereby permitted is limited to the growing period in accordance with Policy LA2 of the Herefordshire Unitary Development Plan.

Informatives:

1. **N19 - Avoidance of doubt - Approved Plans.**
2. **N15 - Reason(s) for the Grant of PP/LBC/CAC.**

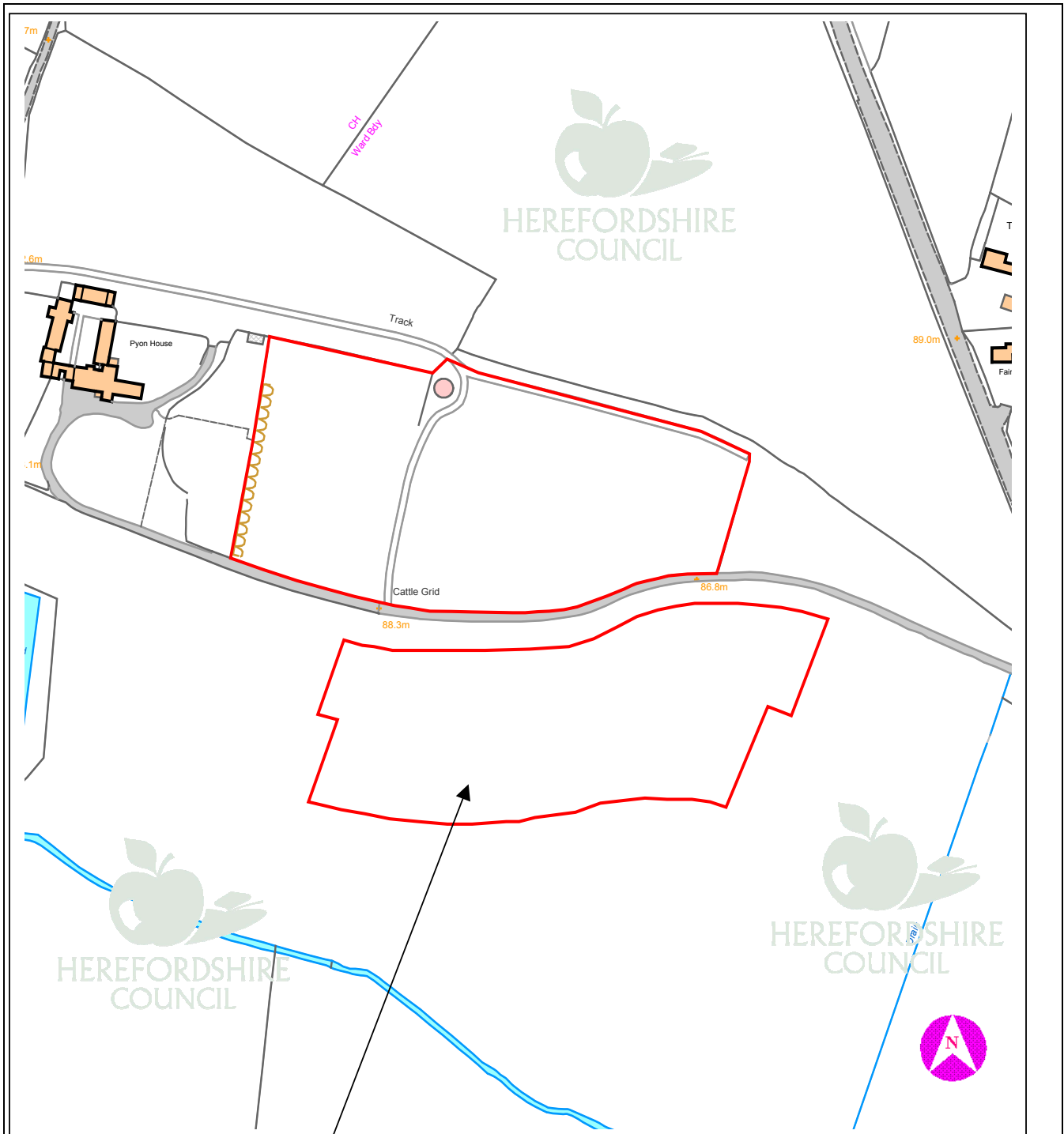
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCW2009/0131/F

SCALE : 1 : 2500

SITE ADDRESS : Land adjacent to Brick House, Bush Bank, Canon Pyon, Hereford, Herefordshire, HR4 8PH

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