

6 DCSE0009/1902/F DCSE/092350/F - PROPOSED NEW COVERED MANURE STORE AT TRE-ESSEY FARM, ST WEONARDS, HEREFORDSHIRE, HR2 8NA.**For: MT, R & GE Williams per Collins Design and Build, Unit 5 Westwood Ind.Est, Pontrilas, HR2 0EL.****Date Received: 25 August 2009****Ward: Llangarron****Grid Ref: 350422,221918****Expiry Date: 20 October 2009**

Local Member: Councillor JA Hyde

1. Site Description and Proposal

- 1.1 Tre-Essey farm buildings are on the east side of the unclassified 71213 that leads from the B4521 to Llangarron. Tre-Essey Farm (the former farmhouse to this agricultural unit) is some 24metres north of the farm buildings that are used as cattle housing. Pikefields Farm is to the west and Old Shires Court is to the southeast, on the opposite side of the 71213. There is a watercourse that runs along the western boundary of the site that flows into Llantywan Brook which is to the north of the site. Adjacent to the watercourse and the existing farm buildings is a wetland area which drains into the watercourse.
- 1.2 This application proposes a portal frame agricultural building, 22.860 metres x 9 metres, 5.485 metres to eaves and 6.710 metres to ridge that will be used for the storage of manure. The north and south elevations will be open sided, and the east and western sides are to be constructed in "mass" concrete walls and profile fibre cement sheets are proposed for the roof. It is proposed to erect the building some 10 metres south of the farm group and some 14 metres from the edge of the adjoining 71213.

2. Policies**2.1 Planning Policy Statements**

- PPS1 - Delivering Sustainable Development; and
- PPS7 - Sustainable Development in Rural Areas.

2.2 Herefordshire Unitary Development Plan

- DR1 - Design;
- DR2 - Land use and activity
- LA2 - Landscape Character least Resilient to Change;
- E13 - Agricultural and Forestry Development;
- E16 - Intensive Livestock Units; and
- LA2 - Landscape Character and Areas least Resilient to Change.

3. Planning History

- 3.1 There is no planning history.

4. Consultation Summary

- 4.1 None required.

Further information on the subject of this report is available from Mr D Thomas on 01432 261974

Internal Council Advice

4.2 The Traffic Manager has no objection.

4.3 The Environmental Protection Manager: "I have my concerns regarding the close proximity of a residential property approximately 50 metres from the proposed development. Not only would I consider this as a potential problem with odour from the manure storage area, but I have also concerns regarding fly infestations that are now covered by statutory nuisance legislation under The Environmental Protection Act 1990.

I believe that if this development could be relocated away from the residential property, behind the existing farm buildings it would greatly reduce the risk of statutory nuisance to nearby the dwellings."

4.4 Comments on the revised siting are awaited and will be reported verbally.

5. Representations

5.1 A Design and Access Statement has been submitted with the application:

- We have chosen to construct this building with a conventional portal steel frame which affords a clear span not impeded by intermediate posts;
- We propose to site the building to minimise the impact on surrounding land;
- In doing so access can be obtained from the site entrance and use adjacent water and electricity supplies;
- The site is reasonably level and has sufficient room for farm vehicles to enter from the adjacent farmyard; and
- We have selected Slate Blue steel sheeting for the side cladding and mass concrete walls to be sympathetic to the surrounding countryside and enable it to correspond with the adjacent buildings.

5.2 Llangarron Parish Council has no objection.

5.3 An objection has been received from Mr WP Davies, Tre-Essey Farm, Three Ashes, St Weonards:

- The proposed development is too close in proximity to our residential development.
- The proposed development is too close in proximity to residential holiday cottages located at Tre-Essey Farm.
- There is sufficient land available to accommodate this proposition and it would allow Mr Williams to achieve his farming objectives and reduce potential nuisance.
- Our property is downwind of the proposed development. I believe a reasonable compromise would be for the covered manure store to be sited at a minimum of 30 metres away from the south building line of the barns and 20metres west of the corner of the building line near the entrance as per the diagram attached. The covered manure store would be located behind the existing farm buildings which would act as a barrier and the open space would create an area where odour could diffuse naturally into the open air.

Further information on the subject of this report is available from Mr D Thomas on 01432 261974

- There would be a potential problem with odour, fly infestations and rats from the covered manure store and there is the potential for these issues to impact on Mrs Davies' holiday cottage business.
- A sensible compromise could be achieved between the health of my family and persons staying in residential holiday cottage accommodation at Tre-Essey Farm, and the farming needs of our neighbour Mr Williams of Trippen Kennet Farm, Three Ashes, Hereford who does not live in close proximity to the proposed covered manure store.
- The location that I have proposed takes into account the advice received from the Environment Agency advising that the Covered manure store is located at least 10metres away from any stream, river or wetland to comply with Environment Agency regulations.
- The location that I have proposed takes into account the advice received from Environmental Health as stated above.
- Due regard will be given to Article 8 of the European convention on Human Rights.

The full text of these letters can be inspected at Planning Services, Garrick House, Widemarsh Street, Hereford and prior to the Committee meeting.

6. Officer's Appraisal

- 6.1 Policies E13 and E16 deal specifically with agricultural and forestry development subject to:
- In the case of new buildings, development is sited with existing groups of buildings where practicable, having regard to the functional relationship with other buildings and services;
 - Where new buildings cannot be located with existing buildings, that such development is sited so as to be readily assimilated into the landscape, avoiding isolated or skyline locations and taking advantage of natural land form;
 - Adverse impacts on residential amenity and the environment are avoided; and
 - Proposals are well related to existing development and the landscape in terms of scale, design, colour and materials.
- 6.2 This application proposes to site the manure store adjacent to an existing group of farm buildings that are used for the keeping of livestock. In terms of siting and functionality of the agricultural activities of the unit the siting of the building in this position is considered acceptable. Siting the building close to the existing buildings will assimilate the proposal into the landscape. Also, the siting of the building more than 10metres from the wetland area, will reduce the potential of contamination of the nearby watercourse which is a tributary to Llantywan Brook.
- 6.3 Although policy E16 deals specifically with intensive livestock units the policy also gives consideration to the storage of manure. The relationship of the proposal to Tre-Essey Farm is a material consideration in the determination of this application. The Environmental Protection Manager comments there are concerns regarding the close proximity of a residential property approximately 50 metres from the proposed development and considers if this development could be relocated away from the residential property, behind the existing farm buildings it would greatly reduce the risk of statutory nuisance to nearby the dwellings. Amended plans have been received that show the building is to be positioned behind the existing buildings when viewed from Tre-Essey Farm.
- 6.4 Given the occupants of the Tre-Essey Farm are accustomed to the keeping of livestock on this site, and that existing buildings are between the proposed manure store and the farmhouse, it is not considered there will be a significant increase in nuisance, smell and odour that would

adversely affect residential amenity. Accordingly, it is not considered the siting of the proposal will have a discernable affect on the amenity of the neighbour. However, should nuisance arise from odour and/or fly infestation the Environmental Protection Manager advises this will be a matter for the Environmental Protection Act 1990.

6.5 Consequently, it is considered the proposal complies with policies E13 and E16.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1 A01 Time limit for commencement (full permission)**
- 2 B03 Amended plans**
- 3 C01 Samples of external materials**
- 4 I51 Details of slab levels**

INFORMATIVES:

- 1 N15 Reason(s) for the Grant of Planning Permission**
- 2 N19 Avoidance of doubt - Approved Plans**

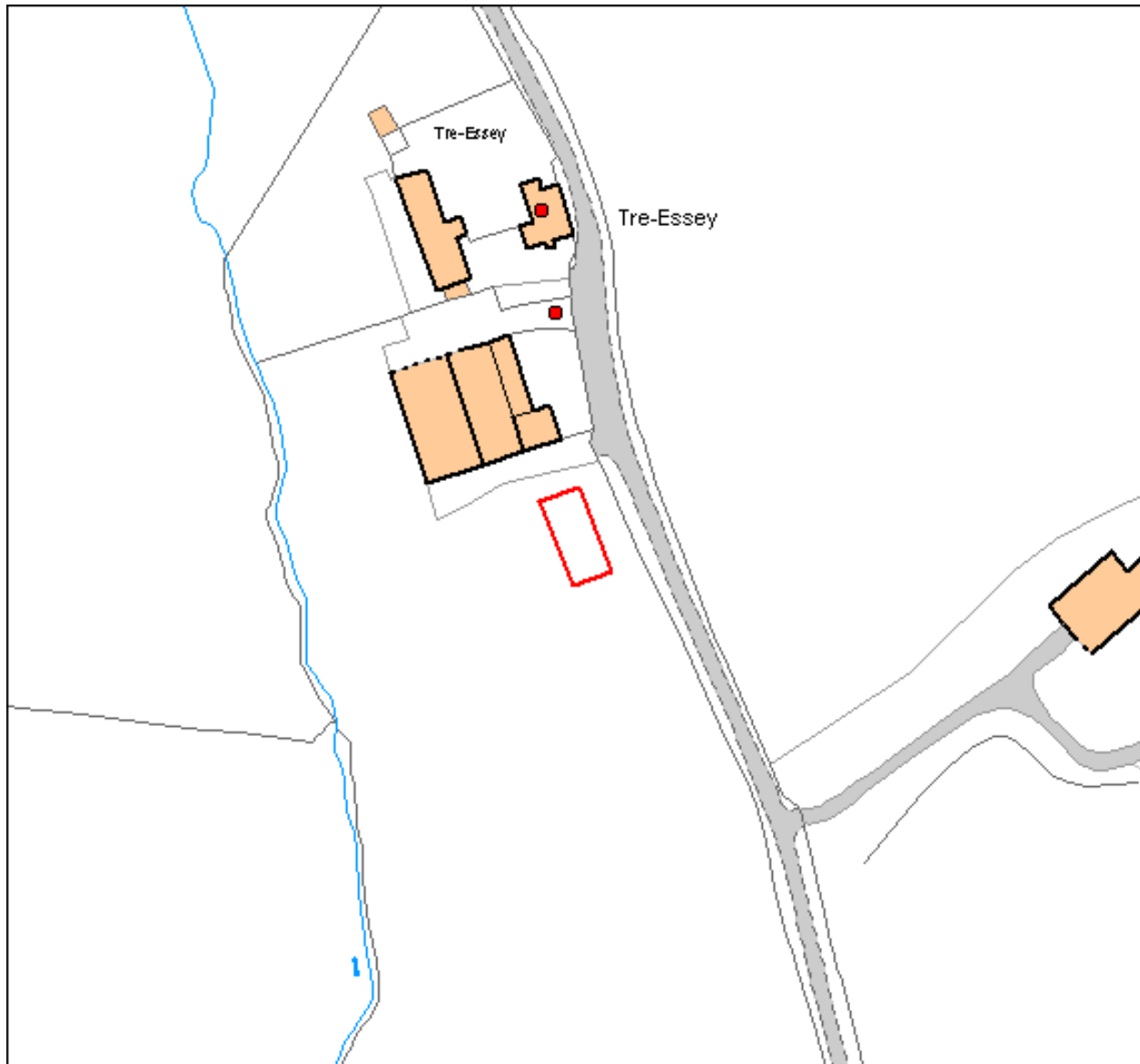
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE0009/1902/F

SITE ADDRESS : TRESSEY FARM, ST WEONARDS, HEREFORDSHIRE, HR2 8NA

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