

7 DCCE/092491/F - CHANGE OF USE OF LAND USED FOR AGRICULTURE FOR THE ACCOMMODATION OF SEASONAL WORKERS IN MOBILE HOMES AT LAND TO THE WEST OF VELDO FARM AND EAST OF THE A465 AT NUNNINGTON, HEREFORD, HR1 3NW

**For: Mr Hawkins per Mr Peter Gwynne, Thinghill Court
Withington, Hereford, HR1 3QG**

**Date Received: 1 October 2009
Expiry Date: 26 November 2009**

Ward: Hagley

Grid Ref: 355015,243767

Local Member: Councillor DW Greenow

1. Site Description and Proposal

- 1.1 The site forms part of agricultural pasture land located east and adjacent to the A465, approximately 500 metres south of the small hamlet of Withington Marsh. The site comprises an area of land within the agricultural field measuring 67 metres in length by 34 metres in width. Levels rise gently from west to east within the site and running along the southern boundary is a row of mature trees and vegetation either side of a small stream. An existing vehicular access serves the site directly on to the A465.
- 1.2 Planning permission was approved on 3 February 2009 for the erection of 13.5 hectares of polytunnels for soft fruit growing on land north, east and south of this current application site. Work has commenced on the installation of the polytunnels including the approved alterations to the access. This application now seeks the change of use of land to accommodate 14 static caravans to accommodate up to 84 seasonal workers along with the installation of foul drainage treatment plant, construction of paths linking the mobile homes and the refurbishment of an existing redundant agricultural building to create ancillary facilities. The ground floor would accommodate an IT suite, office, store, laundry room and television/training room with storage at first floor.

2. Policies

2.1 Planning Policy Guidance:

- PPS1 - Deliverance of Sustainable Development
PPS7 - Sustainable Development in Rural Areas

2.2 Herefordshire Unitary Development Plan 2007:

- S1 - Sustainable Development
S2 - Development Requirements
S4 - Employment
S7 - Natural and Historic Heritage
DR1 - Design
DR2 - Land Use and Activity

DR3	-	Movement
DR4	-	Environment
DR13	-	Noise
DR14	-	Lighting
H7	-	Housing in the Countryside Outside Settlements
H8	-	Agricultural and Forestry Dwellings Associated with Rural Businesses
H11	-	Residential Caravans
LA2	-	Landscape Character and Areas Least Resilient to Change
LA6	-	Landscaping Schemes
CF2	-	Foul Drainage

3. Planning History

- 3.1 DCCE2008/2266/F - Proposed erection of 13.5 hectares of polytunnels for soft fruit growing, new general purpose storage building, associated hardstanding and access, roadway and balancing pond. Approved 3 February 2009.

4. Consultation Summary

Statutory Consultations

- 4.1 None required.

Internal Council Advice

- 4.2 Traffic Manager: No objection but a pedestrian route via footpaths should be provided from the site to access the bus route and public house in the village in order to minimise pedestrians walking along the A465.
- 4.3 Conservation Manager - Landscape:

No objection subject to the planting of a hedgerow as additional screening to the northern and eastern boundaries. The tree protection measures approved for the previous application needs to be installed during the construction phase in order to protect the oak tree and vegetation either side of the brook. Soil bunding along the brook should also be removed away from the vegetation and brook in order to conserve the hedgerow trees and existing planting, and to avoid constricting run off and flow.

5. Representations

- 5.1 Withington Parish Council:

The Parish Council objects to the application at present but will reconsider its position when further information as requested below is provided and the questions answered:

- The Parish Council notes that up to six persons will be accommodated in each mobile home but no details of internal layout has been provided. Suitable living accommodation must be provided and further details of the internal layout are required.
- A significant number of polytunnels will be removed outside the growing season north and south of the site of the mobile homes thus exposing them to general view. Further landscaping and tree screening should be included.

- The amenity and recreation building should be restricted in use to that shown on the proposed drawing to ensure that no noisy uses are permitted.
 - The Parish Council is still concerned over pedestrian safety issues with workers walking to and from Cross Keys Public House on a stretch of road with no pavement and restricted verges.
- 5.2 One letter of objection has been received from A Wood of Orchard View, Sutton Road, Cross Keys, the main points raised are:
1. The prospect of having 80 foreign workers living very close to my property makes me uneasy, may be intimidating and engender a feeling of insecurity and vulnerability in respect of my property and personal security.
 2. The situation is exacerbated by the lack of any street lighting or near neighbours.
 3. Although the proposal includes a recreation and amenities building the facilities are inadequate for the potential number of workers. The only other entertainment is the local public house but there are no pavements or street lighting along the A465 and the personal safety of the workers may be at risk particularly at night.
 4. The presence of the development would also affect the saleability and value of my property.
 5. The development may lead to increased crime.
- 5.3 The full text of these letters can be inspected at Planning Services, Garrick House, Widemarsh Street, Hereford and prior to the Sub-Committee meeting.

6. Officer's Appraisal

- 6.1 The issues to be considered the assessment of the application is as follows:
- 1) The Principle
 - 2) The Accommodation
 - 3) Visual and Landscape Impact
 - 4) Residential Amenity
 - 5) Pedestrian Safety
 - 6) Conclusion

The Principle

- 6.2 The site falls within open countryside as identified within the Herefordshire Unitary Development Plan where there is generally a presumption against any new residential accommodation including accommodation provided with mobile homes. However, one exception to normal restraints on residential development in the countryside is accommodation for full or part-time agricultural workers.
- 6.3 Planning permission now exists for the permanent polytunnels on land surrounding this application site and work is underway on site to install the polytunnels. The need for a full-time and seasonal workforce associated with the soft fruit production business is also accepted. The functional requirements for this workforce to reside on site is less clear. The workers could reside off site and be transported to and from the site daily. However, this is reliant on suitable and affordable accommodation being found. The applicants have already converted five existing flats within their ownership for permanent soft fruit workforce and other accommodation within their ownership is not available due to tenancy restrictions. Effectively, up to 14 properties

would be required. It is therefore accepted that accommodation of the workers within existing properties is either not possible or viable. It is also undoubtedly more convenient for the workers to live on site particularly during the intensive harvesting season when long and unsociable hours have to be worked.

The Accommodation

- 6.4 Static caravans are proposed, each measuring around 10.3 metres in length by 3 metres in width and containing three bedrooms, bathroom, and open plan kitchen/lounge/dining area. Each caravan would have a capacity for up to six people which with 14 caravans proposed creates a potential total number of workers of 84. This equates to the maximum number of workers when all the polytunnels are in place and the site is operating at full capacity. The normal number of workers likely to be accommodated ranges between 10 to 50 with the peak being during the harvesting season on August, September and October. The number of caravans proposed in relation to the number of workers will ensure that the standard of accommodation is not cramped and each individual caravan will contain all the facilities normally associated with independent residential occupation. As such, the density and standard of accommodation is considered acceptable.

Visual and Landscape Impact

- 6.5 The proposed site for the caravans is located to the rear (east) of the approved general purpose storage building. This is a substantial building measuring 24 metres in length by 18 metres in width by 9.3 metres in height to the pitch of the roof. This building when constructed will effectively screen the caravans when viewed directly from the west. Mature trees and vegetation exist along the southern boundary and will screen the site when viewed from the south. The planning permission approved for the polytunnels also requires the existing hedgerows to be retained at a height of 3 metres which when mature, will screen the site from the north and north west. Furthermore, much of the surrounding land will contain polytunnels for at least 8 months of the year and in some areas 12 months of the year which will mean the site will not be visible during the summer months in particular.
- 6.6 Notwithstanding the above points and in order to address the Parish Council's concerns, the applicants have proposed additional planting along the northern and eastern boundary of the site which when mature, will entirely screen the site. In addition, a condition is recommended that the caravans be coloured a matt green or brown colour to assist in assimilating them into the surrounding environment. Therefore, the visual and landscape impact of the development in its own right will not be significant and in the context of the permitted surrounding development will be minimal.

Residential Amenity

- 6.7 The nearest property lies around 100 metres north west of the proposed site. The impact of the polytunnel development on the residential amenity of surrounding properties in terms of noise and general disturbance was considered acceptable at the time the application was determined. It is likely that additional noise will arise from the site of the caravans particularly when the business is at capacity during the peak harvesting season. Conditions were imposed on the polytunnel development restricting the playing of amplified music and the extent of lighting and flood lighting that could be erected. It is recommended that a condition is imposed requiring a robust environmental management plan be provided identifying how the workers

accommodation is to be managed and measures proposed to minimise the noise and disturbance arising from the use. It is likely that all of these measures will not entirely eliminate noise from the site but background noise levels will already now be changed as a result of the polytunnel development itself. Therefore subject to the existing and proposed conditions it is considered that the residential amenity of the objectors property along with other properties in the area will be satisfactorily safeguarded.

- 6.8 The proposal also includes the refurbishment of an existing redundant agricultural building on site to provide amenity facilities for the workers. The existing building is effectively to be re-roofed and re-clad with new window and door openings and will provide an IT suite, laundry room, office and store along with a television/training room within the ground floor and storage at first floor. This will provide essential facilities for the workers and further assist in minimising any noise and disturbance arising from the site.

Pedestrian Safety

- 6.9 The Parish Council have expressed concerns about how the workers will access the existing facilities including the public house at Cross Keys and the shop at Withington. To address this the applicants have identified footpath links via existing public rights of way along Veldo Lane both directly to Withington and the public house to the north. These routes will provide safe footpath links to the local public amenities and avoid the need for any workers to walk along the A465. This also addresses the Traffic Manager's requirements concerning the same matter.

Conclusion

- 6.10 It is now accepted through other similar permitted developments within the County that intensive fruit production requires significant seasonal labour force and it is most appropriate for this workforce to be sited either on or close to the polytunnels where the fruit is grown. The task is therefore to ensure that the site of such accommodation minimises its impact on landscape, residential amenity and highway and pedestrian safety in particular. It is considered that this proposal satisfactorily addresses all these three key issues subject to appropriate conditions.
- 6.11 In addition, to ensure the accommodation remains for seasonal use and does not become permanent residential accommodation, a condition is recommended preventing the caravans from being occupied between the months of December and January. A temporary permission is also recommended to allow the need for the caravans to be reviewed after expiry of the temporary period.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1 F21 Temporary permission (mobile home/caravan)**
- 2 The occupation of the caravans shall be limited to persons employed on the site of the polytunnels as identified on the location plan drawing no 326.401.C40 and as approved under planning permission DCCE2008/2266/F**

Reason: The accommodation and associated development proposed under this application is only considered acceptable on the basis of the functional

need associated with the growing of soft fruit on the land surrounding the application site and to comply with Policy H8 of the Herefordshire Unitary Development Plan

- 3 The development hereby permitted shall be for the accommodation of up to 84 seasonal workers at any one time

Reason: To ensure that appropriate standard of accommodation is provided and maintained and to comply with the requirements of Policies S1 and S2 of the Herefordshire Unitary Development Plan

- 4 In the event of the polytunnels permitted under planning permission reference DCCE2008/2266/F becoming redundant for the growing of soft fruit, the use of land for the stationing of 14 caravans hereby permitted shall permanently cease and the caravans and associated infrastructure including all the paths and roads shall be permanently removed and the land restored to its former agricultural condition in accordance with details to be submitted to and approved in writing by the local planning authority within 6 months of the date of the cessation of the land for growing of soft fruit

Reason: The accommodation and associated development proposed under this application is only considered acceptable on the basis of the functional need associated with the growing of soft fruit on the land surrounding the application site and to comply with Policy H8 of the Herefordshire Unitary Development Plan

- 5 Prior to the commencement of development the colour including the BS reference for all exterior surfaces of the caravans hereby permitted shall be submitted for approval in writing of the local planning authority. The caravans shall be coloured in accordance with the approved details prior to the first occupation of the caravans hereby permitted

Reason: To protect the visual amenities of the area and to ensure the development conforms with Policy DR1 of the Herefordshire Unitary Development Plan

- 6 The amenity and recreational building shall be used for the purposes identified in drawing number 326.401-C41-1 only unless otherwise agreed in writing by the local planning authority

Reason: To safeguard the amenity of the area and to ensure the development conforms with Policy DR2 of the Herefordshire Unitary Development Plan

- 7 G11 Landscaping scheme - implementation

- 8 Prior to the commencement of development an Environmental Management Plan identifying measures to minimise the extent of noise and disturbance arising from the application site to include details of operation and management shall be submitted for the approval in writing of the local planning authority. The development and use hereby permitted shall thereafter be operated and managed in accordance with the approved Management Plan

Reason: In the interest of amenity of nearby residents and to ensure

compliance with Policy DR2 of the Herefordshire Unitary Development Plan

- 9 Prior to commencement of development details shall be provided of a sign and accompanying map identifying local facilities and amenities and the means of pedestrian access via existing public rights of way to those facilities and amenities from the application site. The details and map shall be clearly displayed in the amenity building prior to the occupation of any caravans hereby permitted**

Reason: To ensure the occupants are aware of safe pedestrian and cycle access to local facilities and amenities and to ensure compliance with Policies DR2 and DR3 of the Herefordshire Unitary Development Plan

- 10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any order revoking or re-enacting that order with or without modification, no other caravans shall at any time be placed on the land identified in blue outline on drawing number 326.401.C40**

Reason: In order that the local planning authority can control the visual impact of the addition of any further temporary seasonal workers accommodation in the interest of the visual amenity of the area and to conform with Policies LA2 and DR1 of the Herefordshire Unitary Development Plan

- 11 F31 Caravan occupancy restriction (December and January)**

Informatives:

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

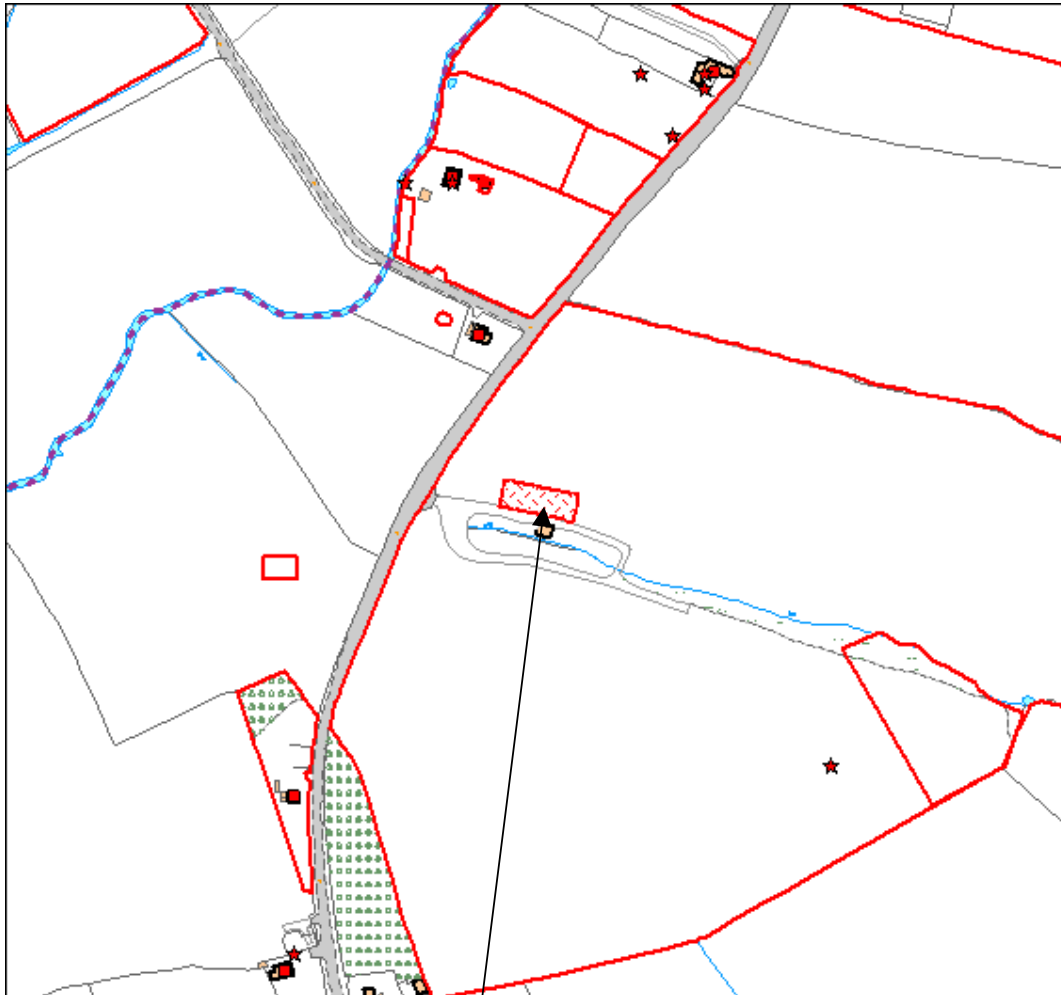
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCE/092491/F

SITE ADDRESS : LAND TO THE WEST OF VELDO FARM AND EAST OF THE A465 AT
NUNNINGTON, HEREFORD, HR1 3NW

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