

5 DCSW2003/3759/F - SOFT FRUIT PACKHOUSE FACILITY, TOGETHER WITH NEW SITE ENTRANCE AND SECURITY FENCING, WINDMILL HILL, HAREWOOD END, HEREFORDSHIRE

For: Messrs A J & C I Snell per Mr P Dunham, Dunham Associates, 19 Townsend, Soham, Cambridgeshire CB7 5DD

Date Received: 22nd December 2003 Ward: Pontrilas Grid Ref: 52297, 27782

Expiry Date: 16th February 2004

Local Member: Councillor G. W. Davis

1. Site Description and Proposal

- 1.1 The site lies to the north of Harewood End, adjacent to the A49, and approximately 14km south of Hereford and 8km north of Ross-on-Wye. It is situated in open countryside, in planning policy terms and adjacent to the Wye Valley Area of Outstanding Natural Beauty, the boundary being the A49 trunk road. The site is on the south western side of the A49. Harewood Park Lodge lies to the northeast of the site and two further residential properties lie to the north-west. The surrounding area is characterised by loose knit, sporadic development, set within agricultural land typical of such a rural location.
- 1.2 At present the site comprises agricultural land used for soft fruit growing. There is an existing access into the site from the A49 trunk road. The main part of the site is essentially a rectangular parcel of land with an access track proposed through the adjacent field to the south-east. The site slopes down from the A49 to the south and the northern, eastern and southern boundaries are defined by poplar shelterbelts, with the western being defined by an alder shelterbelt. The applicants farm other land within the local vicinity and rent a fruit packhouse at Much Birch at present. Information was submitted with the application setting out the applicants' need for a new soft fruit packhouse and why the currently used packhouse is not suitable.
- 1.3 It is proposed to erect a large building, having a total floor area of some 2,150 square metres on the rectangular parcel of land and a new access across the land to the southeast onto the A49. The building would have a number of sections of roofs the highest of which would be 7.5 metres. The building would provide an area for soft fruit packing, holding area, a cool store, packing store, dispatch holding, staff canteen, offices etc and a lorry docking. In addition an open yard area, concrete hardstanding, staff and visitor parking and access and turning areas are proposed. The building would be sited within the northeastern part of the site, nearest to the highway. The scheme includes the provision of two metre high security fencing and security gates to the eastern boundary, behind the existing trees, the closure of the existing access with additional tree planting and re-grading of the natural land levels to accommodate the building and associated yard area etc.
- 1.4 The new access incorporates the removal of an existing hedgerow and the raising of the land levels within the proposed visibility splay to the same as the highway.

2. Policies**2.1 Planning Policy Guidance**

- PPG.1 - General Policy and Principles
- PPG.7 - The Countryside, Environmental Quality and Economic and Social Development
- PPG.13 - Transportation

2.2 Hereford and Worcester County Structure Plan

- Policy CTC.9 - Development Criteria
- Policy A.3 - Agricultural Buildings

2.3 South Herefordshire District Local Plan

- Policy GD.1 - General Development Criteria
- Policy C.1 - Development within Open Countryside
- Policy C.3 - Criteria for Exceptional Development outside Settlement Boundaries
- Policy ED.6 - Employment in the Countryside
- Policy ED.9 - New Agricultural Buildings
- Policy T.3 - Highway Safety Requirements
- Policy T.4 - Highway and Car Parking Standards

2.4 Unitary Development Plan (First Deposit Draft)

Part 1

- Policy S.1 - Sustainable Development
- Policy S.2 - Development Requirements
- Policy S.4 - Employment

Part 2

- Policy DR.1 - Design
- Policy DR.4 - Environment
- Policy DR.13 - Noise
- Policy DR.14 - Lighting
- Policy E.8 - Design Standards for Employment Sites
- Policy E.11 - Employment in the Countryside
- Policy E.13 - Agricultural and Forestry Development

3. Planning History

- 3.1 SE2002/1837/F Soft fruit packhouse for Pencoyd Court Farm's produce - Refused 28.11.02

4. Consultation SummaryStatutory Consultations

- 4.1 The Highways Agency have no objections subject to conditions.
- 4.2 The Environment Agency's recommendations are awaited.

Internal Council Advice

- 4.3 Head of Environmental Health's comments are awaited.
- 4.4 Head of Economic Development's comments are awaited.
- 4.5 The Chief Forward Planning Officer comments "In principle the proposal is acceptable, provided that landscape and highway issues are satisfactorily addressed."
- 4.6 The Chief Conservation Officer comments: "The proposal is appreciable in scale and would result in a considerable amount of ground disturbance. However, given that there are no recorded archaeological remains on or near the application site, a minor access condition is recommended were permission granted."

5. Representations

- 5.1 A Project Report and Transportation Assessment were submitted by the applicants in support of the proposal. The Project Report, which sets out the applicants' farming operations and proposals, is contained in Appendix I.

- 5.2 Pencoyd Parish Council comment:

"Following a site visit councillors involved came to the following conclusions:-

There would be no objection in principle but were concerned that the siting in its present position could cause problems to local residents:

- (1) Proximity.
- (2) Noise and possible light pollution if this includes night working.

It was felt that if the whole complex could be moved back by the total depth of the proposed site it would help to alleviate these problems."

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- 5.4 One letter of support has been received from KG Fruits Ltd, of Tonbridge, Kent. The points raised are:

- Applicants are members of KG Growers Ltd, the UK's largest soft fruit marketing co-operative. We would be grateful for support for the new facility proposed as it forms an important part of our business.

5.5 Six letters of representation have been received, from R.C and S.D Gwilliam of Harewood Park Lodge, Mr D Thomas of Hilcrest, D Dixon of Swayns Diggins, Dr D Watts and Ms J Ballantyne of Handley Cross House, Mrs A M Perkins of Horizons and David Curtis on behalf of the Duchy of Cornwall. The main points raised are:

- The plan does not show our house (Harewood Park Lodge) correctly, half our living accommodation would face the proposed development, resulting in our loss of privacy and reflection of light off vehicles and security lighting towards our property.
- Will be subjected to high levels of noise, from early morning to late evening, from cars, lorries (reversing etc), forklifts, tractors, refrigeration fans, movement of wire cages, employees etc. A49 traffic is not continuous, but the packhouse noise would be constant.
- Smell from rotting fruit is already a problem, so on a larger scale it would be unbearable.
- This would be major development for Harewood End, entirely visible from the road
- Would result in large number of vehicular movements to and from the site
- Will student accommodation be proposed in future, as is the case at the existing packhouse at Much Birch, if so this would be a recipe for trouble. Concerns regarding the status of the workforce and where they would live. No infrastructure in the village to support workforce.
- Unless speed limit is reduced on the A49, where the access is proposed, the crawler lane would enable vehicles to increase their speed.
- Harewood Park Lodge is Grade II listed, and in the final stages of being renovated, the development proposed would be out of keeping with the area and would affect the value of our home.
- Existing fruit growing area consists of rows of plastic growing tunnels, spoiling the landscape. The soft fruit packing 'factory' with associated traffic movements would compound this eyesore.
- There is already enough vehicular traffic in the area, using narrow lanes, do not want anymore.
- Proposal would increase the possibility of more serious accidents, on one of the most dangerous stretches of road. How many accidents are considered enough? No adherence to 40mph speed limit.
- Surely the site and surrounding area are within AONB, which is supposed to be protected from development. Building proposed should be built next to applicants' own farm buildings, using existing farm access. If it is speculative development, there must be brownfield sites which would be less obtrusive and more suitable, without destroying good agricultural land.
- Surprised the Council is even considering the application, which seems to be a commercial venture rather than agricultural.
- Understand the applicants' need for the proposal, but strongly recommend that additional areas of tree screening should be provided between the complex and A49, particularly either side of the proposed new entrance, which would be opposite the Duchy's own new entrance to properties etc to be regenerated (with benefit of planning permission etc).
- Existing poplar trees do not offer a great deal of cover during winter months, we would request that the complex is moved slightly away from the A49 to provide additional area for tree screening (plan enclosed of suggested areas).
- Substantial tree planting is proposed by the Duchy opposite the application site.

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

6. Officers Appraisal

- 6.1 The main considerations in the determination of this application are the principle of the development and the acceptability of the scheme in terms of its impact on highway safety, the character and appearance of the rural landscape, and residential amenity of neighbouring properties.
- 6.2 Policy C1 of the Local Plan states that new development in the open countryside will only be allowed in certain circumstances, one of these being for the purposes of agriculture. On the basis of the information submitted with the application, in particular the size of the holding, land used for fruit growing and the tonnage produced on the land, it is considered that the proposed building would only meet the requirements of the applicants at peak times in the season. On this basis it is considered that the application proposal is for agricultural purposes.
- 6.3 PPG7 states that the building in open countryside should be strictly controlled (paragraph 2.3), whilst acknowledging that agricultural business need to adapt to new environmental, hygiene and welfare legislation and to changing market requirements (paragraph 3.3). *'Reform of the Common Agricultural Policy is bringing farmers closer to the market-place, through farm-based enterprises supplying niche markets..., larger scale group collaborations such as central fruit and vegetable packing operations...These ventures can add value to local produce. The siting of new agricultural buildings should take account of the operational needs of farming.'* (PPG7 - paragraph 3.4). The site is not within the Wye Valley Area of Outstanding Natural Beauty.
- 6.4 Policy A3 of the Structure Plan states that proposals for new agricultural buildings will be treated sympathetically, where a need can be shown, but such buildings, wherever possible, should be sited and designed to harmonise with the surrounding rural area. Furthermore policy ED9 of the Local Plan states that where possible and appropriate new agricultural buildings should be sited adjacent to existing farm buildings and not in isolated or visually intrusive locations. Policy GD1 of the Local Plan requires that proposals relate in terms of form, mass, scale, layout to the surrounding area, have regard to the setting of neighbouring buildings and landscape features, have safe access and would not disturb or conflict with adjoining uses. The applicants' agent has submitted details of the sequential natured approach to identifying the site for the proposed building. In summary the existing packhouse, which is rented and originally built as an apple packing facility, at Court Farm, Much Birch, is a constrained site in terms of the premises and the associated yards. The vehicular access is difficult, with the highway also serving the Church, a dried flower business, a number of residential properties, a doctor's surgery and other farming activities at Court Farm. The existing buildings at Pencoyd Court, the applicants' farm, would need to be substantially upgraded and extended to accommodate the required packing etc facilities. Whilst the applicants state this would not be impracticable the site is remote from the A49, with access by relatively narrow country lanes, not really suitable for large vehicles and is also more remote to the main growing areas than other alternative sites. It is considered that other sites have been explored and although the proposed site would not be next to other farm buildings, it represents the most appropriate site in terms of other issues, such as highway safety and the operational needs of the holding. As

such the provision of an agricultural packing facility on the site is considered acceptable.

- 6.5 The proposed building would be large in scale and a maximum of 7.5 metres in height. By virtue of its design the building would have broken elevations, which could be further enhanced through the careful use of external materials. The building and associated access and turning areas would be lower than the A49, with the floor area of the building being some 2.5 metres lower than the highway verge. Earth bunding and land re-grading are proposed. The building and associated areas of hard standing would be partially screened by the existing tree belt to the site boundaries and by the proposed re-grading. A section of the existing tree belt is proposed to be removed to provide the access into the site. Consideration has been given to re-siting the building further from the A49, to the southwest of the site. However this would involve more significant re-grading of the land to create a level surface for the building and hard standing and a longer access track to the A49. It is therefore considered that the proposed siting of the building etc would have a lesser impact on the landscape than re-siting it to the southwest.
- 6.6 Although the proposed building would be large, being for agricultural purposes and of a modern agricultural building design it would not appear out of place in a rural area where the main land use is agriculture. It is recommended that landscaping and planting should be carried out, particularly to supplement the existing tree screen and ensure its longevity to satisfactorily ameliorate the visual impact of the proposal. As proposed there is sufficient space within the site to enable deep areas of tree planting, particularly to the north western corner of the site and as a staggered row behind the existing tree belts. Whilst this would not completely screen the proposed development it would break-up the scale and mass of the building from views outside of the site. It is considered that although the proposal would be seen, due to its justified need and design and scope for additional planting it would not be harmful to the landscape. The boundary of the Wye Valley Area of Outstanding Natural Beauty lies in close proximity to the site. Due to the natural gradient of the site, falling away from the boundary, the visual separation provided by the trunk road, the mature tree belts, the justified need and design of the agricultural building it is considered that the proposal would not adversely affect the appearance of the Area of Outstanding Natural Beauty.
- 6.7 As a result of the proposal traffic would be generated to and from the site. This would range from HGVs collecting the packed fruit from the site, smaller vehicles bringing picked fruit from the fields and mini buses and private cars transporting employees. The appellants' have stated that it is their intention to provide shuttle transport for seasonal and casual workers from the campsites to the field and packhouse locations and also a pick-up services locally from Ross-on-Wye and Hereford. There is a bus stop in close proximity to the site, opposite Harewood Park Lodge. The A49 is well serviced by public transport and would therefore provide an opportunity for employees to use public transport, thus encouraging sustainable transport methods. The proposed access would provide visibility of 215 metres in both directions. The scheme does not include a 'crawler' lane. A Transportation Assessment was submitted with the application by Engineering and Environmental Consultants. Reference is made to the accident data and concludes that none of the accidents in the locality appear to have been associated with fruit growing at Pencoyd Court Farm, rather the majority appear to be due to excessive speed and driver behaviour. The Highways Agency has advised that the proposed access would be acceptable in highway safety terms and with regard to the efficient use of the trunk road. Conditions are recommended to ensure the visibility splay is retained. The proposal also includes the permanent closure of an existing access onto the A49, which consists of a gap in the tree belt, and

has restricted visibility. It is considered that closure of this access would be beneficial to highway safety.

- 6.8 The proposal, by its nature would incorporate refrigeration units. Furthermore the use would involve vehicles accessing and egressing the site and manoeuvring within it and the movement of agricultural produce. These factors could give rise to nuisance. Harewood Park Lodge is sited on the opposite side of the A49 to the site. The curtilage of this residence would be some 52 metres from the nearest elevation of the proposed building. A small area of parking for cars would be between the building and the A49, whilst the access and turning area, where the HGVs would manoeuvre and be loaded would be 70 metres from the curtilage. By reason of the distance separation between this property and the application site, the lower land levels of the site together with the proposed earth bunding and existing and proposed landscaping it is considered that a loss of amenity would not result. In addition the siting and direction of any security lights could be controlled by condition to ensure they would not adversely affect the occupants of the dwelling. Horizons, the nearest dwelling to the north-west is some 150 metres from the site. The Environmental Health Officer's comments are awaited. It is considered that until this advice has been received planning permission should not be granted, rather the decision could be delegated to officers subject to receipt of either recommended conditions to satisfactorily mitigate any nuisance or detailed information from the applicants that confirms that the proposed refrigeration units etc would not result in nuisance.
- 6.9 The proposal does not include living accommodation for employees, nor do the applicants suggest that this is intended. If such an application were made it would be considered in light of planning policies relating to such development.
- 6.10 Due to there being no recorded archaeological remains on or near the application site, it is considered that a condition requiring the applicants to allow reasonable access to the site for observations of excavation works would be reasonable.
- 6.11 The principle of the holding requiring a new soft fruit packhouse is considered acceptable. In light of this and the mitigation measures proposed and recommended, it is considered that the proposal would not adversely impact on the surrounding landscape or residential amenity. The proposed access would not be detrimental to highway safety and the closure of the existing access would be beneficial. On the basis of the submitted Traffic Assessment the proposal satisfactorily addresses the issue of sustainability taking into account the rural nature of the location.

RECOMMENDATION

That subject to the resolution of the issue with regard to noise, and clarification with regard to the conditions as directed by the Highways Agency, the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions and any additional conditions considered necessary by officers:

- 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. A08 (Development in accordance with approved plans and materials)**

Reason: To ensure adherence to the approved plans and to protect the general character and amenities of the area.

3. B11 (Details of external finishes and cladding)

Reason: To minimise the visual impact of the development

4. D03 (Site observation - archaeology)

Reason: To allow the potential archaeological interest of the site to be investigated and recorded.

5. G04 (Landscaping scheme (general))

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

6. G05 (Implementation of landscaping scheme (general))

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

7. G06 (Scope of landscaping scheme)

Reason: In order that the local planning authority may be satisfied that the deposited scheme will meet their requirements.

Informative(s)

1. ND3 (Contact Address)

2. N15 (Reason(s) for the grant of planning permission)

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.