

**17 DCNW2004/1841/F - PROPOSED POTATO STORE  
EXTENSION AT COURT HOUSE FARM, BYTON,  
PRESTEIGNE, HEREFORDSHIRE, LD8 2HS****For: Edwards of Byton Ltd per Leominster  
Construction, Southern Avenue Industrial Estate,  
Leominster, Herefordshire, HR6 0QF****Date Received:****20th May, 2004****Expiry Date:****15th July, 2004**

Local Member: Councillor Mrs. L.O. Barnett

**Ward:****Mortimer****Grid Ref:****36938, 63930****Introduction**

Members will recall that this application was subject of a site inspection by Members on the 26th July, 2004

**1. Site Description and Proposal**

- 1.1 Court House Farm consists of, in total, approximately 485 hectares. Of this approximately 162 hectares is in the village of Byton, the location of this current proposal. The immediate locality includes residential dwellings not associated with the holding, and Listed Buildings, including two adjoining barns within the complex designated for this building. The character of the locality is rural and agricultural. The landscape is designated as an Area of Great Landscape Value.
- 1.2 This application seeks planning permission for the erection of a new farm building attached to a similar structure granted permission DCNW2001/1316/F. The proposal involves the erection of an agricultural building with a width of 26.2 metres, a length of 33.5 metres, and a ridge height of 11.3 metres. The design is reflective of the building to which it is to be attached. The proposed use of this building is for the storage of potatoes.

**2. Policies****Hereford and Worcester County Structure Plan**

Policy A3 – Construction of Agricultural Buildings

**Leominster District Local Plan**

Policy A9 – Safeguarding the Rural Landscape

Policy A18 – Listed Buildings and their Settings

**Herefordshire Unitary Development Plan (Deposit Draft)**

DR1 – Design  
E13 – Agricultural and Forestry Development  
HBA4 – Setting of Listed Buildings

**3. Planning History**

DCNW2001/1316/F - Steel portal framed cold potato storage building - Approved 21 August 2001

95/0695/N - Erection of potato store and general storage building - Approved 14 November 1995

**4. Consultation Summary**Statutory Consultations

4.1 None required.

Internal Council Advice

4.2 Head of Engineering and Transportation - Raises no objection to this proposal.

4.3 Chief Conservation Officer - Expressed some concern over the siting and its impact upon the landscape. It was recommended that locating the proposed building to the north of the existing building. Notwithstanding this, if the location was not flexible, conditions relating to landscaping were recommended.

4.4 Head of Environmental Health - Raised no objection to the proposed development.

**5. Representations**

5.1 Byton Parish Council commented as follows on the proposed development:

'In view of the objections expressed by a number of local residents at the meeting held on 23 June 2004 to discuss the application, it is the Parish Council's opinion that the Planning committee should hold a site meeting in order to see for themselves what the proposal entails. In a case of this kind, the Parish Council believes that this is the only way in which the Committee can properly assess the likely effect of the building on the local village environment and consider any alternative proposals for its siting. To avoid unnecessary delay for the applicants, the site meeting should be held as soon as possible. The Parish Council also believe it would be desirable, given their local knowledge, for parish councillor's to be present to pass on the conclusions of their own inspection of the site.'

5.2 11 letters of objection, from 10 sources, were received in response to this application. The sources of these objections are as follows:

- Mr. A. Grigg, Stoney Croft, Byton.
- K.A. Williams, Court Leas, Byton.
- P. Gilbert, Turnpike Cottage, Byton.
- Mr. P. Segrott, The Old Rectory, Byton.

- T. Brown, The Old School House, Byton.
- Mr. J. Rogers, Highfield, Byton.
- M. Bodhingle & F. Stubbs, Parkwood, Byton.
- Mr. & Mrs. Oldershaw, The Quarry, Kinsham.
- Mr. G. Morgan, The Cottage, Byton (x2).
- Mr. D. Delaney, Pipe Trow, Byton.

The objections to the scheme can be summarised as follows:

1. Damage to the environment will be harmful to the tourism industry locally.
2. Residential amenity implications of associated traffic movements.
3. Unacceptable increase in traffic movement.
4. Unacceptable times and regularity of vehicle movements.
5. Inadequacies of transport infrastructure to accommodate traffic movement.
6. Negative impact upon the landscape.
7. Necessity for an effective landscaping scheme.
8. Time restrictions to vehicle movements should be applied.
9. Implications upon pedestrians.
10. Importance of a committee site visit.
11. Environmental implications associated with the utilisation of the development.
12. Justification for the expansion.
13. Lack of long term need for this building.
14. The site is currently poorly operated.
15. Intrusive working hours causing interference of privacy ('intrusion into B-B-Q).
16. Failure to comply with requirements of previous planning consents.

5.3 The applicant has advised the following:

1. Potatoes to be stored in this building are grown on the applicant's land and on Farm Business Tenancies around Leominster and Tenbury.
2. Availability of storage is problematic, with associated logistical implications.
3. No additional vehicle movements will be associated to this storage expansion because the potatoes are brought onto site anyway for grading.
4. This building will provide enhanced storage to meet the needs of the business.
5. The applicant is happy to comply with roadside improvement requirements.
6. Vehicle movements are not 24 hours and the applicant is happy for loading hours to be limited to 7.00am till 8.00 pm.
7. A road sweeper with a water kit has been purchased to minimise the dust problem.
8. The Worcester based operation does not utilise the Byton facilities.
9. The suggested location to the north is not physically viable for reasons of space, health and safety, and manoeuvring.
10. Location influenced by need to be distanced from the cattle buildings and food stuffs in order to comply with present regulations.

5.4 In support of the application, five letters have been forwarded from the following sources:

- Cmi Certification, Oxford.
- Scott Price Refrigeration, Bishops Frome.
- Leominster Construction, Leominster.
- MBM West Midlands.
- Kendrick and Co. Powys.

The comments in these letters can be summarised as follows:

1. The potatoes produced are to the highest standards demanded by Tesco's and other supermarkets.
  2. Storage are required at the point of production, so that the potatoes may be stored in the optimum conditions until ready for sale.
  3. The current storage limitations on site meant last year's crop had to be transported to storage sites elsewhere, as far away as Lincolnshire.
  4. The transportation costs associated with transportation for storage are unsustainable.
  5. The suggested location to the north cannot be achieved physically and would have financial and ecological costs associated with it. Additionally, this location has unacceptable implications upon the livestock enterprise.
  6. There are contamination issues associated with a location in close proximity to a livestock enterprise.
  7. The recent Tesco Natures Choice inspection report resulted in a 'Gold' Standard being achieved. The analysis required minimum score in areas including wildlife and landscape conservation and enhancement, resource utilisation efficiency, pollution prevention, and the rational use of pesticides, fertiliser, and manures.
  8. The design of the building has regard to the comments of the Listed Buildings Officer in application DCNW2001/1316/F.
  9. The design had regard to the importance of integrated with the existing storage building.
  10. A landscaping scheme is proposed.
  11. Siting is influenced by health and safety requirements, access, manoeuvring, and distance from the grading line to the store.
  12. MBM take in excess of 5000 tonnes of potatoes each year from the Edwards' and only 3000 tonnes of storage is available on site, with significant implications for the business.
  13. The siting of the store adjacent to the existing is beneficial in consideration of energy efficiency, on site vehicle movements, and operating costs.
- 5.5 The full text of these letters can be inspected at Northern Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

## **6. Officers Appraisal**

6.1 The key issues associated with this application are considered to be as follows:

1. The principle of development.
2. Agricultural need.
3. Siting.
4. Impact upon the landscape.
5. Transportation implications.

### **6.2 Principle of Development**

Policy A3 of the Hereford and Worcester County Structure Plan states that applications for the construction of agricultural buildings will be treated sympathetically, but also states the importance of siting and design.

The proposal for the erection of an agricultural building is therefore accepted in principle, subject to consideration of issues such as siting and design and impact upon the landscape.

### 6.3 Agricultural Need

Additional information was requested regarding the agricultural need for this building. The submitted details clarify the demand for additional on site storage and it is suggested that the operational requirements of the farm justify the agricultural need for the proposed storage building.

### 6.4 Siting

The siting of this building is a concern in relation to the impact upon the landscape. The specific landscape aspect will be considered in the subsequent section of this report but it is important to first establish the need for this building to be in this location. The Chief Conservation Officer has identified a location to the north of the existing building as being less harmful upon the landscape. The submitted information outlines the justification for the proposed siting and can be summarised as follows:

1. Physical limitations of the site and the proximity to the boundary would make the operation of a building in this location, with the associated vehicle movements and manoeuvring, impractical.
2. The location closer to the existing livestock operation has implications upon the required standards of operation of the livestock enterprise, and also raises the issue of contamination from the livestock enterprise into the storage facilities.
3. The location to the north is less advantageous having regard to energy efficiency and vehicle movement requirements.

On the basis of the submissions outlining the above facts it is concluded that the preferred siting to the north is not viable and, indeed, has negative implications associated with it. It is therefore considered that the siting currently proposed is justified.

### 6.5 Landscape

The building is well related to the main complex of buildings and it will integrate well into the adjacent building. The design is appropriate and acceptable. The opportunity to introduce a comprehensive landscaping scheme offers a chance to screen not only this building, but also the one to which it is attached, the consent for which contains no landscaping condition. Clearly the implications of the proposed development upon the landscape are an important factor. The area in question is designated as an Area of Great Landscape Value and its importance, value and beauty is recognised. The current farm complex is visible, indeed prominent, from a number of vantage points. That said, in the context of this application the following should be considered: the existing farm complex, the opportunities for additional landscaping, and recognition of the needs and requirements of modern farming. It is acknowledged that from some vantage points this building will increase the intrusive nature of the farm complex. It is equally inevitable that this particular building will, from some positions, stand out particularly. However, it is considered that the proposed building in this location will, overall, not greatly increase the intrusive nature of the existing complex. From some positions it will, by virtue of perspective, cause no additional harm at all.

On balance it is suggested that subject to a comprehensive landscaping scheme the proposal will not cause unacceptable additional harm upon this important landscape area and this application offers the opportunity to mitigate not only against the impact of this building, but also the existing one, which is currently particularly visible from a number of view points.

#### 6.6 Transportation

Transportation is also a key factor in considering the acceptability of this proposal. Considerable local concern has been expressed in relation to this proposal from the perspective of vehicle movements and disturbance. It is undeniable that manoeuvring heavy good vehicles can be intrusive and although the site is in close proximity to the B4362, the lane itself is of modest capacity. The applicant has confirmed that no additional vehicle movements will be associated with this new development. The argument that the current level of movement will remain level appears sound on the basis that the potatoes will need to be brought to and from the site for grading, whether this storage is permitted or not. Whether the potatoes are kept on site after grading, or moved off site immediately will only change the logistics associated with movement, not the levels of movement. The Head of Engineering and Transportation is satisfied that adequate passing places exist and there are no records of accidents on the lane itself, or the junction with the B4362. On the basis of the above it is suggested that the transportation implications of this development are acceptable.

### 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 - B01 (Samples of external materials )**

**Reason: To ensure that the materials harmonise with the surroundings.**

**3 - E02 (Restriction on hours of delivery ) [7.00 am to 8.00 pm] Mondays to Sunday nor at any time on Bank or Public Holidays.**

**Reason: To safeguard the amenities of the locality.**

**4 - G04 (Landscaping scheme (general) )**

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

**5 - G05 (Implementation of landscaping scheme (general) )**

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

**6 - G06 (Scope of landscaping scheme )      The landscaping scheme required by condition No. 4 above.**

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

- 7 - Prior to the commencement of the development hereby authorised, details of the protection of the landscaping works from rabbit damage and stock damage shall be submitted to, and agreed in writing by, the local planning authority.

**Reason:** To ensure the satisfactory provision of the acquired landscaping scheme.

**Informatives**

- 1 - HN01 - Mud on highway
- 2 - HN02 - Public rights of way affected
- 3 - The Right of Way should remain open at all times throughout development. If development works are perceived to be likely to endanger members of the public then a temporary closure order should be applied for from the Public Right of Way Department, preferably 6 weeks in advance of work starting.
- 4 - The Right of Way should remain at its historic width and suffer no encroachment or obstruction during the works or at any time after completion.
- 5 - N03 - Adjoining property rights
- 6 - N15 - Reason(s) for the Grant of PP/LBC/CAC

Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.