

**DCNW2004/1730/F - CONSTRUCTION OF
AGRICULTURAL IMPLEMENT AND STORAGE SHED
AT LAND SOUTH OF CORONATION ROAD
(SO3056NW), KINGTON, HEREFORDSHIRE**

**For: Mr A Duckett per Mr R.B. Pipe, Pipedream,
Bridgend Lane, Bucknell, Shropshire SY7 0AL**

Date Received:

11th May 2004

Expiry Date:

6th July 2004

Local Member: Councillor T M James

Ward:

Kington Town

Grid Ref:

30056, 56614

1. Site Description and Proposal

- 1.1 This application seeks consent for the erection of an agricultural implement and storage shed on land south of Coronation Road, Kington. The land associated with this building is 0.78 hectares and it falls within the settlement boundary of Kington. The bulk of the land is, in both the adopted and emerging Development Plans, designated as open space to be protected from development. The north west corner of the land does, however, fall within the designated residential area of Kington. The south of the land also falls within the designated flood plain. The land is currently utilised as grazing land.
- 1.2 This application is a resubmission of a previous application (DCNW2004/0526/F) for the same development. This application was withdrawn after concern was raised over the need for this building and the intended use of the associated land.
- 1.3 This application seeks Planning permission for the erection of a new agricultural building to the north of the site, to the rear of numbers 2 and 3 Coronation Road. The proposal involves the erection of a modest agricultural building with a width of 9 metres, a depth of 8 metres, and a maximum height of 4.3 metres. The proposed usage of this building is the storage of a tractor, mower and topper, used to maintain the field, together with storage of hay taken from the field and used in support of the grazing of sheep on the associated land.

2. Policies

2.1 Hereford and Worcester Country Structure Plan

A3 – Construction of Agricultural Buildings

2.2 Leominster District Local Plan

A1 – Managing the District's Assets and Resources

A9 – Safeguarding the Rural Landscape

A15 – Development and Watercourses

K6 – Proposed Open Space - Kington

2.3 Herefordshire Unitary Development Plan (Deposit Draft)

DR1 - Design
DR7 – Flood Risk
E13 – Agricultural and Forestry Development
HBA9 – Protection of Open Areas and Green Spaces
H1 – Hereford and the Market Towns: settlement boundaries and established residential areas

3. Planning History

NW2004/0526/F Construction of agricultural implement and storage shed
Withdrawn

NW1999/3126/O Single dwelling and access
Refused

4. Consultation Summary

Statutory Consultations

4.1 Environment Agency - raised no objections subject to condition

Internal Council Advice

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

4.3 Environmental Health - Raised no objection to the proposed development subject to condition

5. Representations

5.1 Neighbours - No letters of representation have been received

5.2 Kington Town Council commented as follows on the proposed development:

“The members of the Town Council have now had an opportunity to reconsider this application and would respond in a similar fashion to the previous application. This land is not used for agricultural purposes and the Council Members question the need for an agricultural and implement shed on this land. The land has upon it some old equipment which appears to be dumped, vehicles and children's play things, swings, slides etc. The members of the Town Council have no wish to see this open agricultural land turned into a builders yard/reclamation site/parking area.”

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 and open space
5. Transportation implications

- 6. Design and scale
- 7. Land Use

1. Principle of Development

- 6.2 Policy A3 of the Hereford and Worcester Country Structure Plan states that applications for the construction of agricultural buildings will be treated sympathetically, but also states the importance of siting and design.
- 6.3 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.
- 6.4 In this instance, additional consideration need to be given to the designation of the bulk of this land as protected open space.

2. Agricultural Need

- 6.5 Additional information was requested regarding the agricultural need for this building. This issue was a reason for the refusal of the previous application. The site visit identified that domestic elements had been introduced onto this land. The submitted details do, however, clarify the demand for on site storage and it is suggested that the operational requirements of this land justify the agricultural need for the proposed modest building. It is additionally of note that an existing building, albeit in a dilapidated condition, is found on the site, in a similar position that the building now proposed. The agricultural need for this building is therefore accepted.

3. Siting

- 6.6 The proposed building is intended to be located to the rear of numbers 2 and 3 Coronation Road in a broadly similar location to the existing building. In the previous application (NW2004/0526/F) no serious concern existed over the siting, however, it was considered that a location away from the rear of the residential properties may be desirable. A request for this was made and accepted, however, further to this revision both number 2 and 3 wrote to advise a preference for the original location. On the basis of this, the current siting, which is in accordance with the original proposed siting, is considered acceptable.

4. Landscape and Open Space

- 6.7 The proposed building is modest in scale, to reflect the nature of the demand associated with it. Its location on the field periphery minimises its impact upon the landscape and open nature of the land. A further consideration is the existing smaller building on site. It is considered that the siting of this building is acceptable in relation to its impact upon the landscape and the designation of this area as open space.

5. Transportation

- 6.8 No concerns exist in relation to the transportation implications of this proposal.

6. Design and Scale

- 6.9 The design and scale of this building reflect the required space required and the intended usage of the structure. It is considered that both the design and scale are acceptable.

7. Land Use

- 6.10 The use of this land for non-agricultural purposes has been commented upon briefly above. No rights on this land for its utilisation for purposes other than agricultural. This situation has been confirmed to the applicant who has acknowledged this fact and agreed to remove the non-agricultural features currently found on site. An informative to highlight this situation is proposed and the Enforcement Team will, of course, act in the event of the continuation of any unauthorised activity.

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 - F31 (Restriction on use to house/rear livestock)

Reason: To safeguard residential amenity.

- 4 - Any facilities for the storage of oil, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunding compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, vessel or the combined capacity of interconnected tanks or vessels plus 10%. All filling points, associated pipework, vents, gauges and sight glasses must be located within the bund or have separate, secondary containment. The drainage system of the bund shall be sealed, with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank/vessels overflow pipe outlets shall be detailed to discharge downwards into the bund.**

Reason: To prevent the pollution of the water environment.

Informatives:

1 - N03 - Adjoining property rights

- 2 - The applicant's attention is drawn to the comments of the Environment Agency (enclosed) in relation to this development.**

3 - The applicant is advised that the application site has no authorised use, other than agricultural or forestry related activities. The utilisation of this land for domestic or other, non-agricultural/forestry purposes is unauthorised and such uses will be enforced against in the event of their commencement.

4 - N15 - Reason(s) for the Grant of PP/LBC/CAC

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.