

MEETING:	PLANNING COMMITTEE
DATE:	17 JULY 2013
TITLE OF REPORT:	N123316/F - ERECTION OF POLYTUNNELS TO COVER CHERRY ORCHARD AND CONSTRUCTION OF A BALANCE POND AT LOWER HENGOED, HUNTINGTON, KINGTON, HR5 3QA For: Mr RC Hammond, Lower Hengoed, Huntington, Kington, Herefordshire, HR5 3QA
WEBSITE LINK:	http://news.herefordshire.gov.uk/housing/planning/58286.aspx?ID=123316&NoSearch=True

Date Received: 23 November 2012

Ward: Castle

Grid Ref: 325576,252051

Expiry Date: 18 March 2013

Local Member: Councillor J W Hope MBE

1. Site Description and Proposal

- 1.1 The site consists of four predominantly south facing fields that are located approximately 2km south of the hamlet known as Huntington and 7km south-west of Kington.
- 1.2 The fields are divided by the no-through unclassified 91023 public highway. The two fields to the north of the highway have been planted with cherry trees (planted during the winter season of 2012/2013). The two fields to the south of the dividing unclassified public highway are presently in use for corn growing and pasture land respectively. Alongside the southern boundary of the two latter mentioned fields is the River Arrow, this and its immediate area is a designated Special Wildlife Site (SWS).
- 1.3 There are scattered isolated dwellings within the surrounding area, the nearest two, (both outside of the applicant's control), are known as Arrow Cottage and Hall's Mill House from which a bed and breakfast business is run, as well as a separate holiday let unit of accommodation. Both of these properties are located to the south west of the site but neither of their residential curtilages adjoins the application site.
- 1.4 The site and the surrounding area, in accordance with the Council's Landscape Character Assessment, is classed as Herefordshire Hills sub-regional character area, with the area displaying many of the key characteristics such as rolling topography, ancient tree cover, and native hedgerows. In essence the area retains one of the oldest field patterns within Herefordshire.
- 1.5 Public footpath HT24 runs alongside the northern boundary of the site. Footpath HT22 crosses the eastern boundary. The site can also be viewed from several other footpaths and minor public highways within the surrounding area.

- 1.6 A Screening Opinion was carried out in accordance with the Environmental Impact Assessment, (EIA) Regulations 2011, which established that the development is not considered EIA development, and therefore that an Environmental Statement was not required.
- 1.7 The Council's Screening opinion acknowledged the location for the development as sensitive in landscape and ecological terms and therefore the applicant was advised that any formal application needed to be supported by an ecological and mitigation impact assessment, landscape and visual impact assessment and traffic management assessment. These were submitted in support of the application along with the design and access statement and a flood risk assessment. Additional information was later submitted in support of the application in relation to the landscape and visual impact assessment and the flood risk assessment and pond siting, as well as supporting information in support of the business case for the development.
- 1.8 The application proposes the erection of polytunnels to cover a sweet cherry orchard on four fields during the growing season from April until September. The total field area is approximately 17.22 hectares and the polytunnels would cover an area of approximately 11 hectares. These fields form part of the farm known as Lower Hengoed Farm which covers an extended area of some 126 hectares.
- 1.9 The application proposes the use 'Spanish type' polytunnels which are between 7.8 and 8.5 metres wide and between 3.4 and 6.4 metres high on metal legs, each with a 'Y' shaped attachment on top, to which curved metal hoops are connected in linked rows. The tunnels are proposed to be orientated in a south-west – north-east direction, their alignment depending on slope, drainage and wind direction.
- 1.10 The application is made by the farmer owner of Lower Hengoed, Mr. R. Hammond, and this in accordance with information submitted in support of the application is a joint venture with the fruit growers based in the Ledbury area, known as Haygrove Ltd.

2. Policies

2.1 The National Planning Policy Framework (NPPF)

The overarching theme of the NPPF is a presumption in favour of sustainable development.

Paragraph 7 sets out the three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- **an economic role** – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- **a social role** – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
- **an environmental role** – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

Paragraph 17 sets out 12 core planning principles that should under-pin decision taking. Amongst these, the following are considered particularly relevant to the application proposal. Planning should:-

- *proactively drive and support sustainable economic development to deliver, amongst other things, thriving local places that the country needs and respond positively to opportunities for growth;*
- *take account of the different roles and character of different areas...recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it;*
- *contribute to conserving and enhancing the natural environment and reducing pollution.*

Chapter 1 requires that the planning system supports sustainable economic growth, with the planning system acting to encourage not impede economic growth.

Chapter 3 states that local plans should “support sustainable growth and expansion of all types of business and enterprise in rural areas...and promote the development and diversification of agricultural and other land-based rural businesses.”

Paragraph 187 confirms that decision takers at every level should ‘seek to approve applications for sustainable development’ where possible.

2.2 The Herefordshire Unitary Development Plan 2007 (HUDP).

S1	-	Sustainable Development
S2	-	Development Requirements
S4	-	Employment
S6	-	Transport
S7	-	Natural and Historic Heritage
S8	-	Recreation, Sport and Tourism
DR1	-	Design
DR2	-	Land Use and Activity
DR3	-	Movement
DR4	-	Environment
DR7	-	Flood Risk
DR13	-	Noise
E11	-	Employment in the Smaller Settlements and Open Countryside
E12	-	Farm Diversification
E13	-	Agricultural and Forestry Development
LA2	-	Landscape Character and Areas Least Resilient to Change
LA3	-	Setting of settlements
LA5	-	Protection of Trees, Woodlands and Hedgerows
LA6	-	Landscaping Schemes
NC1	-	Biodiversity and Development
NC4	-	Sites of Local Importance
NC6	-	Biodiversity Action Plan, Priority Habitats and Species
NC7	-	Compensation for Loss of Biodiversity
NC8	-	Habitat Creation, Restoration and Enhancement
NC9	-	Management of Features of the Landscape Important for Fauna and Flora
T6	-	Walking

2.3

Herefordshire Supplementary Planning Guidance/Documents.

- Landscape Character Assessment 2004 – Updated 2009.
- Biodiversity 2004 – Updated 2009
- Polytunnels 2008.

2.4

The Unitary Development Plan policies together with any relevant supplementary planning documentation can be viewed on the Council’s website by using the following link:-

3. Planning History

3.1 None identified.

4. Consultation Summary

Statutory Consultations

4.1 The Environment Agency raises no objections with consideration to further information received on flood risk and drainage issues. A condition is recommended to be attached to any approval notice issued in order to ensure that there is no raising of ground levels within the area of the site classed as 'flood zone 3' (high risk for flooding), in accordance with EA flood data maps.

Internal Council Advice

4.2 The Conservation Manager (Landscapes) has responded to the application concluding:

'This application will cause a change to the landscape character of the site and local surroundings, as a new use will be introduced. The question is whether a balance can be struck between the negative impact of new structures and associated activities in the rural landscape, with conservation objectives and sensitive site management. The mitigation measures proposed are suitable and will reduce the negative impacts on the landscape character and views. Given the limited number of public view points that will experience a cumulative impact, the polytunnels will not appear as a very dominant feature in the landscape. I conclude that the application does demonstrate that landscape character has been taken into consideration and that there will not be a significant negative impact that will change the overriding landscape character, therefore it is in accordance with UDP Policy LA2. The mitigation proposals provided are well detailed and suitable to the site, in accordance with UDP Policy LA6: landscaping schemes.'

4.3 The Conservation Manager (Ecology) recommends conditions are attached to any approval notice issued. Detail refers to submission and implementation of a method statement and habitat enhancement scheme for the construction of the irrigation pond, detail with regard to the buffer strips along all boundaries and watercourses, which includes construction of a swale between polytunnels and land that is to remain as permanent pasture, and a management plan for the semi-natural habitats on the site

4.4 The Transportation Manager raises no objections stating that whilst the access lanes are narrow, the proposed activity will not generate much more traffic than that generated by the existing lawful use of the land. The volume of extra traffic is well within the capacity of the local highway network, although there will inevitably be occasional short delays.

4.5 The Public Rights of Way Manager raises no objections, requesting that an informative note is attached to any approval notice issued to ensure that footpaths are protected and remain free of obstruction.

4.6 The Land Drainage Manager raises no objections indicating that the Flood Risk Assessment addresses all the flooding issues and that there will be no increase in flood risk either to the site or to the wider catchment and that the drainage proposed is in accordance with SUDS principles. He initially agreed with comments as made by the Environment Agency recommending that the balancing pond should be moved out of the recognised flood zone area, or failing that compensatory storage volume for the area should be provided.

- 4.7 The Principal Planning Officer Minerals and Waste has not responded to the additional information received at the time of writing. Any further comments will be reported verbally at the Planning Committee. The initial response raised concerns about the siting of the pond and detail as submitted in support of the application with particular reference to surface water runoff and landscaping around the pond area.
- 4.8 The Conservation Manager (Archaeology) raises no objections indicating that sites of archaeology interest are situated at least 500 metres from the proposed development, in an area of complex topography which includes natural screening and as such it is considered that the proposed polytunnels will not damage the setting of the sites of archaeology interest that exist within the surrounding landscape.
- 4.9 The County Land Agent raises no objections indicating the proposed development is a suitable form of farm diversification with consideration to the present farm business circumstances, summarising his response that *'in his opinion the polytunnels are essential to the successful outcome of the project'*.

5. Representations

- 5.1 Huntington Parish Council has responded to the application stating:

Due to the fact that two members of the parish council had pecuniary/beneficial connections with the applicant Mr R Hammond, the committee members are unable to form a quorum to make any comments on the application on behalf of the Council; and can only report on the views expressed on the questionnaire and at the open meeting held on 17 January 2013.

A questionnaire was sent out to all parishioners in Huntington Parish on 10 January 2013. The results of the questionnaire returned are:-

- a) 8 with no opinion
- b) 6 with some reservations
- c) 19 with strong reservations
- d) 6 were slightly in favour
- e) 17 were strongly in favour

We also enclose a copy of the minutes of the open meeting held at Huntington Village Hall on Thursday 17 January 2013 chaired by Councillor John Hope. The major points discussed at the meeting concerning the planning permission were:-

- The possible visual impact on the landscape of the Arrow
- The potential for any loss of trade from existing businesses i.e. B&B's and self catering.
- Would there as a result of a successful application perhaps be a decline in tourism?
- The possibility of a cumulative effect, by the granting of further applications for other sites in the area.
- The adequacy of the existing road system and the estimated affect on the numbers of vehicles using the roads.
- Diversification in farming.
- The potential for chemical runoff from the poly tunnels.

- 5.2 The Campaign to Protect Rural England have responded to the application with objections, indicating no local employment will be created as a result of the proposal; it will have a negative impact on tourism and that inadequate data has been submitted by the applicant on the run –off and extraction rates from the four proposed fields when covered by polytunnels, and therefore they continue to object to the application.
- 5.3 The Herefordshire Ramblers Association raise no objections.

5.4 Kington Town Council has also commented on the application as follows:

Kington Town Council objects to the application.

The Council considers that elements of the application do not comply with the requirements of Herefordshire Council's SPD of 2008, and that if the application is allowed there will be deleterious effects on Kington as detailed below.

1. *We note that two of the four fields identified in the application were ploughed and planted during the autumn of 2012. No information has been provided as to whether or not those trees will be able to mature and fruit satisfactorily if permission for poly tunnels is refused. Nor is there any indication of any pre-application advice on this point that might have been given by Herefordshire Council.*
2. **Economic impact.** *We note that there are general statements in the application that assert that growing late-fruiting cherries will be a profitable type of farm diversification; however no business case is presented as appears to be required in the SPD.*
3. *A business case for the proposed development must be balanced against an assessment of its impact on the local economy.*
4. *No consideration has been given to the negative impact on other sectors of the local economy, and in particular, **tourism**. Kington has made strenuous efforts in the last few years to offer a variety of facilities for tourists. Investment has been targeted to promote Kington as a venue where visitors can find good quality accommodation, locally produced food and excellent outdoor activities. Hergest Gardens have an international reputation; several long-distance trails such as the Offa's Dyke path as well as a plethora of local walks and cycle rides in beautiful countryside are easily accessible. A new venture started in 2012 Kington Walks brought in many visitors over a four-day period in September and is expected to expand this year. (T6)*
5. *The income from tourism is vital for the local economy. The income to accommodation providers and to Kington's shops, restaurants and pubs will be jeopardised by the development if allowed.*
6. **Employment.** *(S4) It appears that there will be no additional jobs available for local people. All the employees in the orchards are to be bussed in from Ledbury, and it is not stated whether or not these will originate in Herefordshire.*
7. **Landscape. (LA2 and LA3)** *As previously stated visitors come to Kington for its location in beautiful landscape, the latter embracing the upper reaches of the Arrow Valley and its surroundings. It is our opinion that the landscape assessment in the application belittles the landscape impact. Large areas of plastic sheeting do not meld into a traditional landscape mosaic of old fields, hedges and small stands of woodland. The plastic will be visible as an alien intrusion, from several points in Huntington, and from Brilley Mountain, from the A4111 approaching Kington, and from the Black Mountains. For local people the landscape is their heritage and thus also part of the nation's heritage. An ancient and fragile landscape needs to be protected.*
8. **Landscape designation.** *The area of the Marches around Huntington and Kington in the northwest Herefordshire hills has been described as one of the most tranquil in England. It has been designated by the Herefordshire Landscape Assessment 2008 as a type of Principal Timbered Farmland, characterised as having one of the oldest field patterns in the county. The Management Guidelines specify conservation, restoration and enhancement. Examination of early OS maps reveals that even though there are*

remarkably stable patterns there was, during the last century, a good deal of loss of hedgerows, hedgerow trees and woodland. Although the pace of change might have been slower than in some other areas, it is, nevertheless taking place and leading to a weakening of the landscape character and value. We consider that the proposed development will add to that devaluation.

9. **Water (DR6, DR7)** The River Arrow flows through Kington. Local riparian owners are adamant that its present good quality should not be endangered. Trout live in it, and recently salmon have been spotted. We consider that contamination from the sprays used in the orchards and the likely large volume run-off from the extensive plastic covers will inevitably affect the volume and constitution of the river water.
10. The Arrow is a significant tributary of the Lugg, itself an SSSI that has been assessed recently as contaminated. The Lugg feeds into the Wye. Thus the management of the upper reaches of the Arrow can affect major rivers in Herefordshire. In our view, particularly the two fields proposed as orchards on the south side of the lane to Llanarrow are likely to pollute the river if allowed.
11. Kington Allotments are on land that borders the Arrow on the east side of the town. They are popular with a waiting list of applicants; vegetables, fruit and some poultry are produced sustainably. They have already suffered from flooding from the river. If the upper reaches of the Arrow are inundated with large volumes of run-off from the poly tunnels in heavy rain the viability of the allotments are threatened and standing crops could well be contaminated.
12. The proposed balance pond does not seem to address the difficulties adequately; in particular we consider much too close to the river bank.
13. The obverse situation is also important – if extraction rates are high for the trickle irrigation system proposed, the river level could be very depleted.(DR4)
14. The River Arrow is part of the natural eco-system, it is itself a tourist attraction, and is a resource beyond Lower Hengoed.
15. **Traffic (T8)** A major concern in Kington is the volume of traffic generated by the development that will need to travel along Hergest Road. The applicant states that all labour will be bussed in from Ledbury (daily at some times of year). The harvested fruit will be taken out along the same route to the Haygrove site in Ledbury. All the materials needed initially to erect the poly tunnels and subsequently to maintain them will be carried along the same Hergest Road.
16. The Town Council has repeatedly drawn Hereford Council's attention to the unsuitability of Hergest Road for HGVs and increases in the volume of all vehicles. Despite being within the town boundary there is no pedestrian footpath, nor any traffic-calming device. Residents in the road, as well as people from Arrow View outside the town, walk along the road, since there is no bus service. There is a pedestrian access to Lady Hawkins School and at least three footpaths exit onto it. The limited character of this road is a major reason for the under-development of Hergest Camp, a site scheduled for industrial development. The application, if allowed, will lead to an inevitable, unacceptable increase in vehicular traffic.
17. The increase in traffic is also a threat to walkers, cyclists, horse riders and other road users within the lanes surrounding the Lower Hengoed. As indicated earlier, tourists appreciate and use quiet lanes; local residents need them to access their houses. Heavy

vehicles in narrow lanes with high banks and few passing places are antipathetic to their traditional use.

Summary

The Council objects to the application because of its likely adverse effects on the landscape, the local economy, the viability of the River Arrow and the undesirable increase in heavy traffic.

- 5.5 A letter of objection has been received from Mr. M. Owen on behalf of The Angling Trust. The letter states objections in consideration of the substantial damage the proposal will have on the River Arrow and its environment due to pollution, water extraction and water run-off.
- 5.6 A letter of objection has been received from Celia Kibblewhite on behalf of Kington Allotments Association. Objections are raised due to concerns about increased flood risk from surface water run-off that will exceed storage capacity of the proposed balance pond. The River Arrow borders the Kington allotments. Concerns are also raised about sustainability and public highway matters.
- 5.7 118 letters of objection have been received from members of the public, at the time of writing this report, from occupiers of local dwellings as well as dwellings located further away. These also include a letter from a planning consultant on behalf of the owners of Middle Hengoed, Huntington.

Main planning issues of concern/objection can be summarised as follows:

- The proposal will not have any local economic benefit to the Huntington and Kington area.
- The proposed development will have a serious impact on the economic viability of the local economy and in particular in relationship to a nearby bed and breakfast business as well as other tourist facilities.
- Mitigation proposals as offered will not off-set damage to the landscape as can be seen in relationship to a nearby poly tunnel development on land at Lower House Farm, Huntington.
- The rises and falls in farming fortunes are not a reason to have an irreversible impact on the quality of the landscape.
- Two fields on site are already planted with cherry trees in anticipation of planning permission being granted which makes a mockery of the planning system.
- Polytunnel hoops will remain on site, these are also unsightly.
- Unsuitable public highway provision serving the site and the surrounding area in relationship to the proposal, as well as negative impacts on outdoor pursuits such as walkers/equestrian activities.
- Surface water run off and flooding issues in relationship to the surrounding area and the River Arrow.
- Business case in support of the application is insufficient and does not adequately demonstrate a satisfactory business case for the proposal.
- Impact on the special quality of the 'border landscape' quality between England and Wales and that of the Offa's Dyke footpath.

- Industrialisation on the surrounding rural landscape.
- Detrimental impact to local ecology.
- Insufficient community consultation prior to application being submitted to the Council for planning consideration.
- Insufficient provision on site for employee welfare consideration, i.e. wash and toilet facilities, and artificial lighting etc.
- The proposed balance pond is in-sufficient for area of polytunels as proposed.
- Proposal is contrary to the aims of the Herefordshire Sustainable Food and Drink Strategy.

5.8 59 letters in support of the application have been received from members of the public at time of writing this report. These are mostly from occupiers of dwellings in the locality of the Huntington area).

Main planning related comments made can be summarised as follows:

- The applicant farms a traditional family run beef and sheep livestock producing farm which produces an income that is not considered sufficient to sustain its economic survival and therefore alternative means of income have to be found.
- The proposal for cherry producing supports a Herefordshire based company.
- No evidence to suggest polytunnel development has a negative impact on tourism in Herefordshire. Available statistics from Kington Tourist Information Centre indicate a continuing upward trend.
- Application will enable a locally produced food which will help contribute towards a reduction in food miles and carbon emissions.
- Poly tunnels are not a permanent fixture being a temporary structure.
- Landscape impact can be mitigated if considered necessary by means of additional traditional variety type plantings.
- Proposal represents a form of farm diversification to which Herefordshire Council's Unitary Development Plan has a policy (Policy E12: Farm Diversification).
- Cherry production on site only has a life span of approximately 25 years and therefore any poly tunnels on site in relationship to this crop will not become a permanent fixture.
- Proposal will have some positive effects in relationship to ecological issues.
- Farming practices evolve as a result of consumer demand.

5.7 The consultation responses can be viewed on the Council's website by using the following link:-

<http://news.herefordshire.gov.uk/housing/planning/searchplanningapplications.aspx>

Internet access is available at the Council's Customer Service Centres:-

www.herefordshire.gov.uk/government-citizens-and-rights/complaints-and-compliments/contact-details/?q=contact%20centre&type=suggestedpage

6. Officer's Appraisal

- 6.1 Polytunnels are a contentious form of development in general and raise many issues, in particular their visual and landscape impact, drainage and potential economic benefits/disbenefits associated with this growing technique. These have to be balanced against the potential positive contributions that polytunnels provide in relationship to sustainable food production and benefits to the local economy.
- 6.2 The key issues in relationship to this application can be defined as follows:
- Landscape and visual impact (including cumulative impact);
 - Drainage and flooding issues;
 - Economic impact;
 - Impacts on tourism;
 - Biodiversity
 - Public highway access.

Landscape, visual and cumulative impacts

- 6.3 The site for the development is in an area of landscape character classed as Herefordshire's Ancient Timbered Farmlands, in accordance with the Landscape Character Assessment. This farmland is made up of mainly rolling topography consisting of a patchwork of mainly traditional small scale enclosed fields surrounded by native trees and hedgerows and small ancient woodland copses. The area is sparsely populated with a scattering of isolated dwellings and farmsteads.
- 6.4 Policy LA2 of the HUDP: Landscape character, clearly states that *'proposals for new development that would adversely affect either the overall character of the landscape, as defined by the landscape character assessment and the historic landscape characterisation or its key attributes or features will not be permitted'*. The policy further states that *'proposals should demonstrate that landscape character has influenced their design, scale, nature and site selection'*.
- 6.5 In support of this application, the applicant has submitted a landscape and visual impact assessment which indicates the landscape character as one of high quality with a limited capacity to accommodate change. The assessment concludes that the development proposal will have a moderate to minor negative impact on the overall landscape character.
- 6.6 Information in support of the application indicates that cherry trees have a life span of approximately 20 years and that after this time the polytunnels would be removed and the land would revert to its current agricultural state.
- 6.7 Many letters of objection raise concerns about the landscape and visual impact, including that of the cumulative impact with an existing polytunnel development nearby, which is situated approximately 2km away in a northerly direction from the site.
- 6.8 As indicated earlier in this report, the surrounding countryside is one of rolling topography with long range views both into and out of the site, and as such it is considered that there will be a visual impact on the landscape as a result of the proposed development and therefore the proposal will result in some change to the overall surrounding landscape character.
- 6.9 The applicant, in support of his application, has offered mitigation proposals in order to off-set any landscape harm. These include buffer zones around existing mature trees, hedgerows and watercourses, restoration/improvements to existing hedgerows, planting of new native hedgerows and small pieces of woodland copses, with long term management

objectives for biodiversity enhancement. It is noted that the Conservation Manager, (Landscapes), in her response to the application indicates that these measures will maintain the underlying landscape character of the site and satisfactorily mitigate the visual intrusion of polytunnels in the medium term.

- 6.10 It is considered that the construction of polytunnels on an area of some 11 hectares, from a total field area of 17.22 hectares, (4 fields), is acceptable with the mitigation proposals as offered by the applicant. However this would also require the existing hedgerows to be allowed to grow taller in order to minimise the 'local' effect of the development. With consideration to the lifespan of cherry trees being approximately 20 years, it is recommended that any planning permission is subject to a condition limiting polytunnel coverage to 20 years from the date of this planning approval. (This allows for the establishment of the cherry trees on site, and thus preventing use of the site for any other fruit crop requiring polythene coverage).
- 6.11 The application is for polytunnels covering the majority of the land area of 4 existing fields which are typical of the surrounding landscape character and does not involve the destruction or alteration of any of their surrounding boundaries, making use of the existing field patterns. Whilst the hooped structures are to remain in situ throughout the year, the proposal for polytunnel coverage would be limited to the growing season from April – September. It is noted that both Policy LA2 of the HUDP and the Poly tunnels Supplementary Planning Document clearly indicate that development proposals should demonstrate that landscape character has influenced design, scale, nature and site selection. It is considered that the proposal, with the mitigation measures proposed, represents a development that satisfactorily reflects the landscape character by making use of the existing field patterns, offering a range of acceptable mitigation proposals and whilst it is acknowledged that there will be a visual impact in the wider landscape, this by its nature will reflect the overall field character. It is not considered that there will be a significant adverse impact on the landscape in terms of any cumulative impact with the nearby site. This located in a northerly direction from the application site, which itself is a smaller site in land area, is less prominent in the context of the wider landscape and benefits from considerable surrounding natural vegetation that contributes towards mitigating its own and cumulative effect assessed in relation to this proposal. Further still it is noted that the site does not form part of any landscape designation. Impacts on areas of archaeological interest, as well as the Offa's Dyke footpath, (a localised impact) and other public rights of way within the area are considered to be acceptable in relation to the overall surrounding complex land and field matrix, which as referred to by the Conservation Manager (Archaeology) includes much existing natural screening which will contribute towards integrating the development into the patchwork character of the overall landscape.

Drainage and flooding issues

- 6.12 The site for the development is located alongside and partly within a flood risk area, (River Arrow- Flood Zone 3), in accordance with Environment Agency (EA) flood data maps, and therefore the applicant submitted a flood risk assessment.
- 6.13 The application proposed an irrigation pond to be sited within an area defined as Flood Zone 3, to which the EA, the Conservation Manager (Ecology) and the Minerals and Waste Manager raised concerns in relation to its siting and detail. Therefore as a consequence the applicant submitted revised details in the form of a report on the irrigation pond and accompanying flood risk assessment report.
- 6.14 This revised information included information on the re-siting of the pond onto land outside of Flood Zone 3, as well as information with regards to pond construction and landscape constraints and mitigation proposals.

- 6.15 The EA raise no objections to the revised siting of the pond recommending a condition with regards to no raising of ground levels within the site, on land within Flood Zone Area 3 in accordance with their flood risk data maps. The applicant proposes water abstraction from the River Arrow via a trickle irrigation method. This form of water abstraction is presently exempt from the requirements for a water abstraction licence from the EA, whilst water abstraction for non-trickle irrigation methods where water abstraction is under twenty cubic metres per day is also exempt.
- 6.16 No objections are raised in respect of land drainage issues. The Land Drainage Manager considers that the Flood Risk Assessment covers everything that is required in respect of flood risk, indicating that in his opinion the proposed drainage may well improve the flood risk to the wider catchment and that the initial concerns raised have been addressed in consideration of the additional information received.

Economic Impact

- 6.18 The application proposes sweet cherry production on an area covering approximately 11 hectares of land that forms part of 4 fields covering a total of 17.22 hectares. These form part of a larger traditional upland livestock and arable enterprise covering an area of 126 hectares. The farming business also rents 20 hectares on an annual basis and this provides additional livestock grazing land for livestock produced on the holding.
- 6.19 The proposed cherry production enterprise is a joint venture between the applicant and Haygrove Ltd of Ledbury, representing a form of farm diversification into another form of agricultural related business venture.
- 6.20 The current farming enterprise has been severely affected by Tuberculosis, (TB), which has affected its suckler herd of cattle, which as a consequence has put restrictions on cattle movements on and off the holding and the consequential ability of this section of the farming business to make adequate financial returns.
- 6.21 The National Planning Policy Framework in Chapter 3: Supporting a prosperous rural economy emphasises how planning policies should support economic growth in rural areas, promoting the development and diversification of agriculture and other land based rural businesses.
- 6.22 Policy E12: Farm diversification in the HUDP also encourages farm diversification schemes where the *'proposal is consistent in scale with its rural location serving to retain the open character of the countryside'*
- 6.23 It is generally accepted that the use of polytunnels has benefits in assisting with the production of top quality fruit for the British market, and thus reducing air miles, by producing locally grown home produced fruit over a longer growing season by means of the implementation of polytunnels. It is also noted that one of the objectives of the Herefordshire Sustainable Food and Drink Strategy is to support and promote local producers across the County.
- 6.24 The business case as put forward by the applicant indicates that the cherry orchard is planned as a collaborative project with Haygrove (Ledbury) Ltd, and that the proposal will enable a form of suitable farm diversification in order to supplement the farm business` declining income, which is presently very much a local business that spends approximately £120k annually in the local economy. Much of the farming business` existing work is done through locally sourced contractors, whilst the farm also employs a full-time member of staff, (as well as the owner who also supplements his income from work sourced off the farm). It is anticipated that the cherry production enterprise, whilst largely managed via existing Haygrove employees, who are based in the Ledbury area, (from where fruit pickers will be transported on a daily basis), will generate the equivalent of 3 full-time jobs and potential to generate nearly £500k income for the farming enterprise at Lower Hengoed Farm.

- 6.25 Clearly the proposed cherry production enterprise represents a form of suitable farm diversification that will complement the existing farming enterprise. The economic benefits to the existing business appear to be substantial and should secure the long-term viability of the farming enterprise which has been severely hit by TB as well as a decreasing income from its other traditional enterprises of sheep and corn production.
- 6.26 Therefore, whilst the economic benefits of the proposal directly to the local economy are not significant, the proposal does represent a form of income that will ensure the financial well-being of the business itself, thus ensuring its continued contribution towards the local economic community and representing an appropriate and compatible form of farm diversification as a joint business venture with another Herefordshire based company.

Impacts on Tourism

- 6.27 A number of letters of objection received refer to concerns about adverse impacts on tourism as a result of the proposed development and it is acknowledged that a successful bed and breakfast and holiday unit business operates from one of the nearby properties to the site.
- 6.28. Tourism is a vital part of the rural economy of Herefordshire and very often compliments farming activities within the County. Tourism businesses must be protected and promoted in a sustainable form, like other appropriate rural businesses.
- 6.29 There is presently no substantive evidence to suggest that polytunnel development has a negative impact on tourism. The nearest tourism facility to the site is located close to the site's south eastern boundary. Although it is acknowledged that there will be a visual impact as a result of the proposed development and also that the area offers some outstanding walking routes, a reason for refusal on tourism grounds could not be substantiated. Furthermore, the nearby B&B/holiday accommodation is separated from the site by natural vegetation and does not look directly into the proposed polytunnel area, which it is considered will have only a localised affect for approximately 6 months of the year when polytunnels are covered.

Biodiversity

- 6.30 The River Arrow Special Wildlife Site does adjoin the site but the Conservation Manager (Ecology) raises no objections, recommending a condition to be attached with regards to a working method statement and habitat scheme. This should include detail in relationship to the construction method and habitat enhancement of the irrigation pond and associated works to the stream, swale construction between polytunnels and permanent pasture, and management of land and hedgerows associated to the river and the tributary stream.

Public highway access

- 6.31 A transport statement was submitted in support of the application which indicates that the peak labour requirements on site will be during the harvesting season from late July for approximately 3 weeks when around 30 fruit pickers will be required on site. The statement indicates that these fruit pickers will be transported to the site via a bus in collaboration with the requirements of the site at Lower House located some 3 km north of the application site. Therefore there will be no overall increase in vehicle movements on the local road network. Otherwise vehicle movements in relationship to the development will be similar to other traditional agricultural activities.
- 6.32 The Transportation Manager in his response to the application raises no objections indicating that *'whilst the access lanes are narrow, the proposed activity will not generate much more traffic than that generated by the existing lawful use of the land. The volume of extra traffic is*

well within the capacity of the local highway network, although there will inevitably be occasional short delays.

- 6.32 With consideration to the nature of the proposed development and existing land use in association to agricultural use and the fact that the site is being run with a connection to the site at Lower House Farm, from where fruit will be harvested either before or after the fruit harvest at Lower Hengoed and with consideration to the response received from the Transportation Manager, there are no objections on public highway matters.

Conclusions

- 6.33 Clearly this is a development proposal that has generated many letters of objection as well as support from members of the public, with many of the comments raised referring to landscape and visual impact, drainage, economic impacts as well as impacts on tourism and the local road network.
- 6.34 There can be no doubt that the proposed erection of polytunnels will have an impact on the character of the surrounding landscape, however this impact has to be judged in relationship to all other material planning considerations.
- 6.35 The proposed polytunnel development respects the traditional field patterns of the location and the applicants have offered suitable mitigation proposals in order to mitigate the visual impacts of the development and assist in integrating the proposal into this high quality landscape. Polythene coverage would be restricted to a maximum of six months of the year and the cherry trees on site have a limited life span of around twenty years. Therefore the proposed development is considered to be of a temporary nature, as in the long term the site can be returned to its former appearance.
- 6.36 The development is also considered acceptable in relationship to drainage issues, the applicants having revised their proposals from that as originally submitted by relocating the pond onto land outside of the recognised flood risk area. With suitable mitigation proposals the siting of the pond is considered acceptable and it is noted that the Land Drainage Manager considers the drainage issues to have been addressed in an exemplary fashion.
- 6.37 The development is considered to represent a form of farm diversification on an upland stock rearing holding, which has suffered poorer financial returns in recent years. This is partly due to circumstances outside the control of the applicant, such as the contracting of TB in the herd of cattle. The new business venture for the holding is a joint venture with another Herefordshire based business which will help towards reduction in food air miles through the production of home grown quality fruit as required by the British supermarkets and public.
- 6.38 There is no proven evidence to support the suggestion that this form of polytunnel development will have a negative impact on the County's highly valued tourism sector.
- 6.39 It is not considered that the proposal will have any serious implications for the surrounding road network. In terms of the existing land use and agricultural activities, the only additional impacts in relationship to the surrounding public highways is the transportation of fruit pickers during the harvesting season. This would be limited by the nature in which they will be bused to the site and it is therefore considered that this issue has been addressed in a satisfactory manner.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1. A01 Time limit for commencement (full permission)**

Further information on the subject of this report is available from Mr P Mullineux on 01432 261808

2. **B01 Development in accordance with the approved plans**
3. **G10 Landscaping scheme**
4. **G11 Landscaping scheme - implementation**
5. **No poly tunnel or associated development will be situated within 30 metres of the boundary of any residential curtilage of any dwelling house that is located outside of the application site. This land shall not be used in connection with the growing of cherries on site, including such uses as ancillary storage, servicing or for staff welfare facilities or congregating areas.**
Reason: To safeguard the amenities of the occupiers of dwelling houses within the immediate vicinity and to comply with Policy DR2 of the Herefordshire Unitary Development Plan.
6. **In the event of any polytunnel hereby permitted becoming redundant for the growing of cherries upon the application site, the poly tunnel which includes the supporting structure shall be removed off site within a period of 6 months of it being last used for cherry production.**
Reason: To ensure that any structure that becomes redundant for fruit production does not remain on site and to comply with Policy LA2 of the Herefordshire Unitary Development Plan.
7. **None of the poly tunnels hereby permitted shall be covered with polythene during the period from 1st October until April 1st in the following year.**
Reason: To ensure that the visual impact of the development hereby permitted is limited to the growing season during leaf cover and to comply with Policy LA2 of the Herefordshire Unitary Development Plan.
8. **None of the poly tunnels hereby permitted shall be lit with artificial lighting.**
Reason: In the interests of the visual amenity and to comply with Policies DR2 and DR4 of the Herefordshire Unitary Development Plan.
9. **The polytunnels and any supporting infrastructure hereby permitted shall be removed off site within 20 years of the date of this planning permission and the land afterwards will be returned back to its original condition in accordance with a timetable to be submitted to the Local Planning Authority no later than 19 years of the date of this planning approval.**
Reason: In consideration of the visual and amenity impact on the surrounding landscape and the life expectancy of the cherry crop and to comply with Policies DR2 and LA2 of the Herefordshire Unitary Development Plan.
10. **There shall be no raising of ground levels within flood zone 3, the 'high risk area' 1% annual probability floodplain, of the site.**
Reason: To alleviate the increased risk of flooding and to comply with Policy DR7 of the Herefordshire Unitary Development Plan.
11. **Prior to any development on site, full details will be submitted to the Local Planning Authority and approved in writing with regards to implementation of a**

working method statement and a habitat enhancement scheme. This shall be based on the recommendations in the ecological report dated 9 October 2012 and include full details and timetables for the:

- construction and habitat enhancement of the irrigation pond and associated works to the stream**
- swale construction between the poly tunnels in Field 4 and land that is to remain as permanent pasture**
- management of buffer strips alongside all boundaries and watercourses**
- management of the remaining permanent pasture land, hedgerows, the River Arrow and the tributary stream.**

Reason: In consideration of the ecological impact of the development and mitigation requirements and to comply with Policies NC1, NC4, NC6, NC7 and NC8 of the Herefordshire Unitary Development Plan in relation to nature conservation and biodiversity and to meet the requirements of The National Planning Policy Framework and the NERC Act 2006.

Informatives:

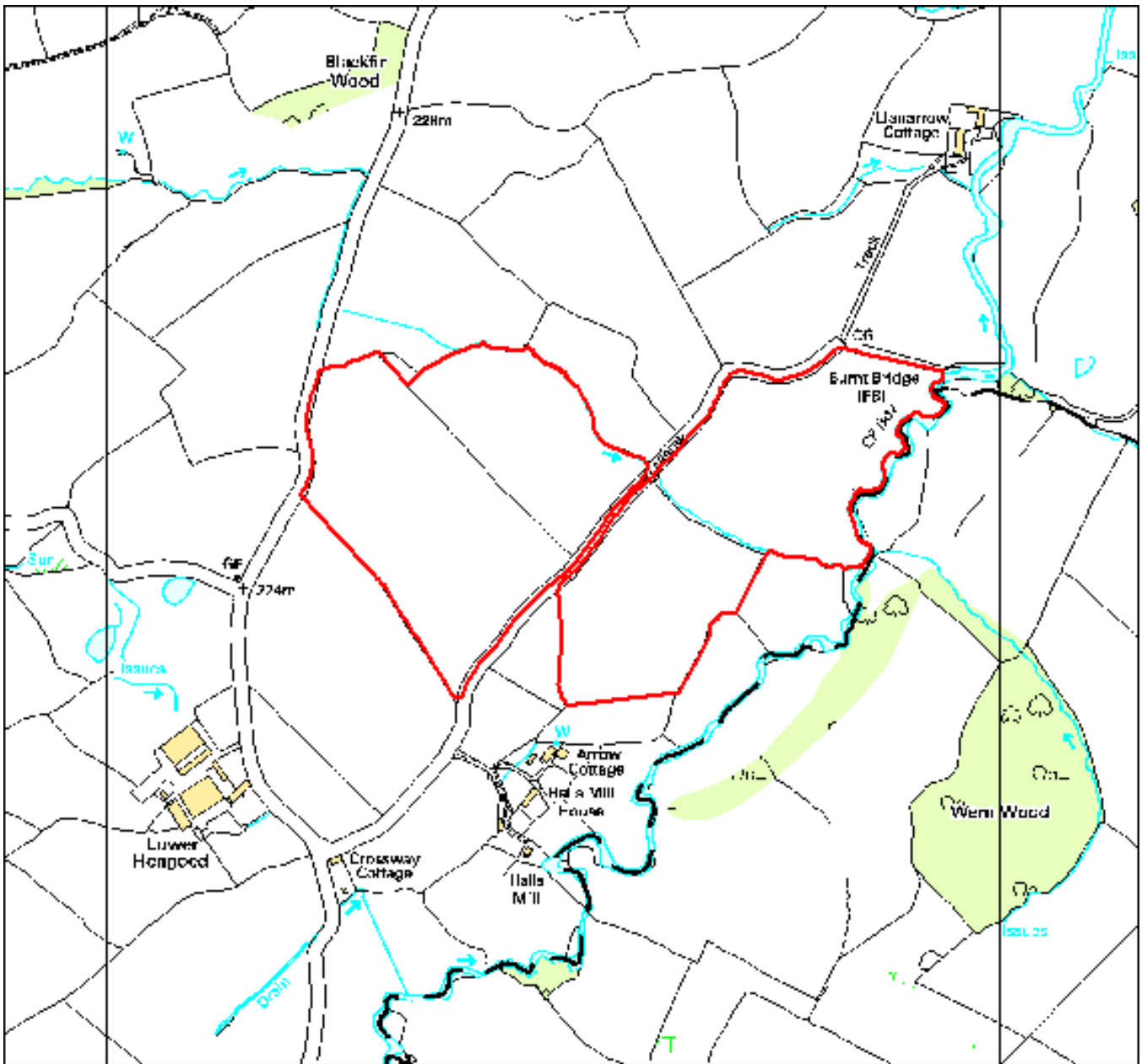
- 1.** The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations. Negotiations in respect of matters of concern with the application (as originally submitted) have resulted in amendments to the proposal. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
- 2.** The applicant is reminded that the adjacent public rights of way must be kept open and free from obstruction at all times.

Decision:

Notes:

Background Papers

Internal departmental consultation replies.



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APPLICATION NO: N/123316/F

SITE ADDRESS : LOWER HENGOED, HUNTINGTON, KINGTON, HEREFORDSHIRE, HR5 3QA

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Further information on the subject of this report is available from Mr P Mullineux on 01432 261808