

MEETING:	PLANNING AND REGULATORY COMMITTEE
DATE:	23 January 2019
TITLE OF REPORT:	<p>182191 - PROPOSED ERECTION OF POLYTUNNELS FOR STRAWBERRY TABLE TOP PRODUCTION AND THE NECESSARY INFRASTRUCTURE, INCLUDING INTERNAL FARM ACCESS TRACKS, A SUSTAINABLE DRAINAGE SCHEME WITH ATTENUATION PONDS, SEASONAL WORKER ACCOMMODATION AND FACILITIES, FRUIT CHILLER, COLD STORE AND LOADING BAY WITH LANDSCAPING AND ENVIRONMENTAL ENHANCEMENT MEASURES AT LAND AT LODGE FARM AND HIGHWAY FARM, MONKTON FARM LANE, OCLE PYCHARD, HEREFORDSHIRE</p> <p>For: Mr Leeds per Mr Phil Plant, Offley House, 18 Church Street, Shifnal, TF11 9AA</p>
WEBSITE LINK:	https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=182191&search=182191
Reason Application submitted to Committee – Re-direction	

Date Received: 13 June 2018

Ward: Three Crosses

Grid Ref: 358299,245828

Expiry Date: 26 November 2018

Local Member: Councillor Jg G Lester

1. Site Description and Proposal

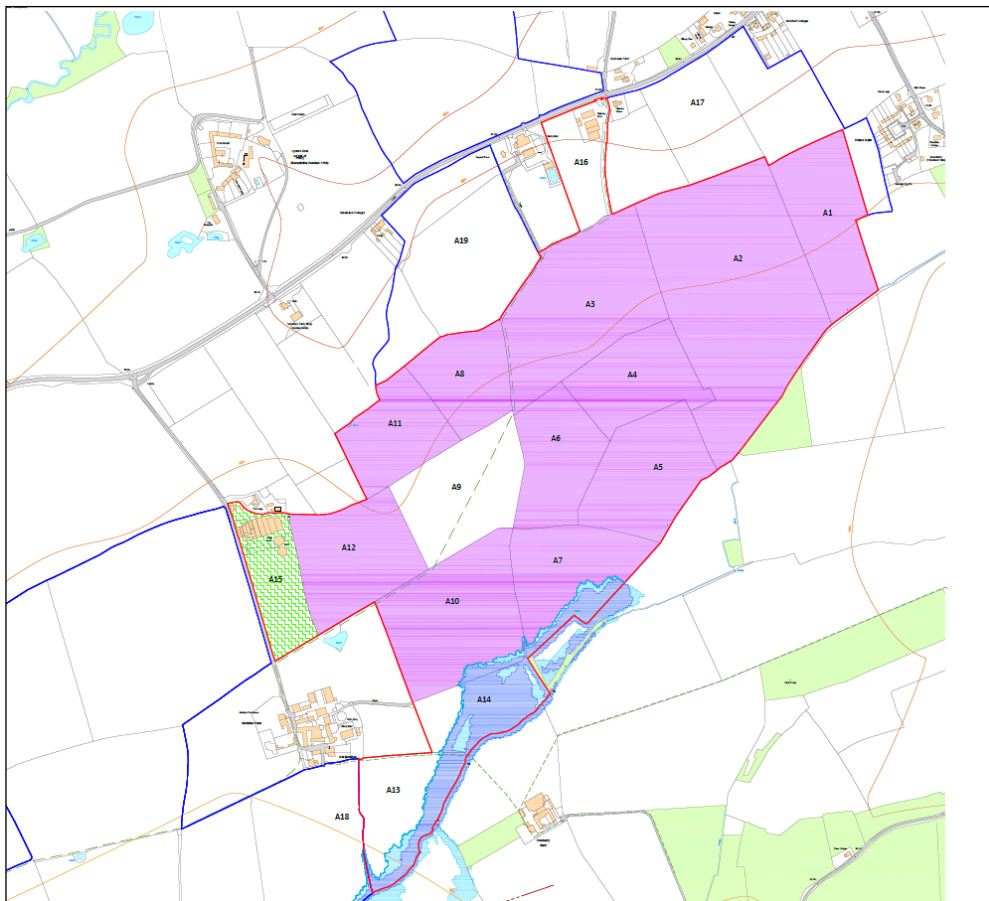
- 1.1 This detailed planning application seeks permission for the erection of polytunnels and associated infrastructure essential for table top strawberry production and for the siting of seasonal workers accommodation on land at Highway Farm, Lodge Farm, and land at Old Monkton Farm, all located within the Parish of Ocle Pychard in north eastern Herefordshire. The farms at Ocle Pychard have recently been purchased by the applicant and extend to approximately 145.07ha. The land will be farmed in conjunction with the applicants existing soft fruit business Withers Fruit Farm and will supply fruit to Wye Fruit Ltd based in Ledbury.

Site description

- 1.2 The Parish of Ocle Pychard is located around 7 miles northeast of the city of Hereford, with the market town of Bromyard located around 6 miles to the north east. The parish of Stretton Grandison neighbours the parish to the east and Westhild to the south. The parish is crossed by two 'A' roads, the main one being the A465 which links Hereford and Bromyard, and the other the A417 which links Ledbury to Hope Under Dinmore. These two roads meet at the Burley Gate roundabout, located north of the application site.

Further information on the subject of this report is available from Ms Rebecca Jenman on 01432 261961

- 1.3 The main settlement within the parish is that of Ocle Pychard, which is a small settlement located on the south eastern fringes of the parish and is largely covered by two Conservation Areas. There is a cluster of listed building within these Conservation Areas, including the Church of St James. It is noted that there are no Scheduled Ancient Monuments within the parish, however there are 6 ancient woodlands and a total of 2 Local Wildlife Sites. The application is supported by a Heritage Impact Statement.
- 1.4 The majority of the parish is identified as a 'principle settled farmlands', which is a landscape type described in the Herefordshire Councils' Landscape Character Assessment 2004 as areas of mixed farming land use found in the rolling, lowland area of central Herefordshire. These areas are settled landscapes of dispersed scattered farms with small villages and hamlets, and a network of small winding lanes nestled within a matrix of hedged fields.
- 1.5 The application site, as identified on the drawing below edged in red, covers an area of 64.40ha of agricultural land located to the south of the A465, west of the settlement of Ocle Pychard. Bridle path OP8 and Public footpath OP9 cross the application site from the A465 in a southerly direction. The Three Choirs Way (a long distance regional route between Gloucester, Herefordshire and Worcestershire) passes along the southern boundary of the site. The land edged in blue is land in the applicant's ownership.



Site Plan PL-03

- 1.6 The surrounding area is generally characterised by a patchwork of enclosed pasture land, with some arable, all following the topography of the land enclosed by hedged fields. Highways Farm has until recently been used in conjunction with a livestock farm, whilst Lodge Farm was a dairy farm. Along this stretch of the A465 there are sporadic clusters of dwellings and small businesses.



Aerial Image of application site and surroundign area

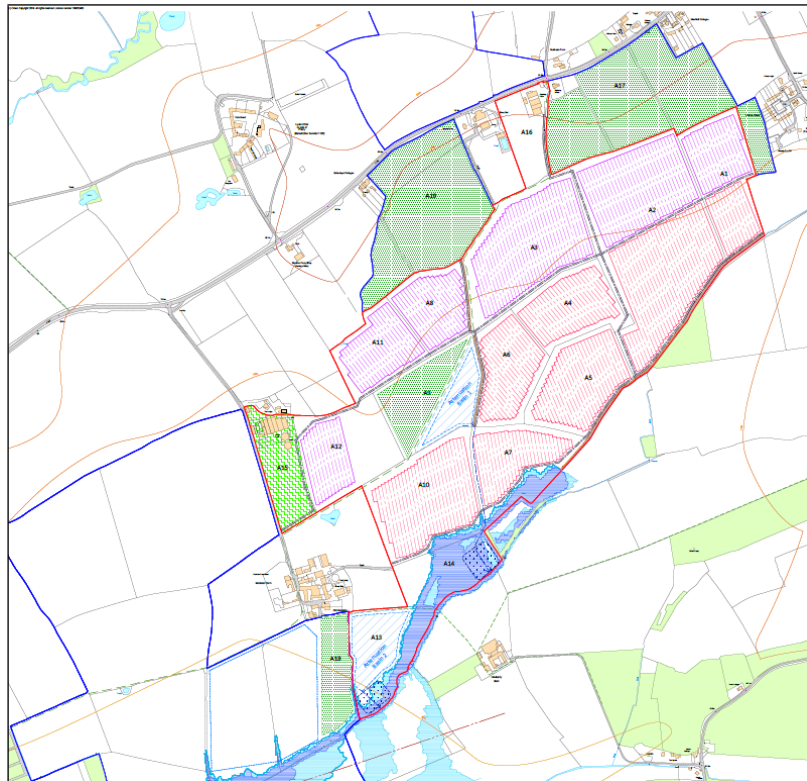
- 1.7 There are no main rivers within the vicinity of the application site, with a tributary watercourse (The Withington Marsh Brook) to the River Lugg flowing along the southern boundary of the application site. Review of the EA's Flood Mapping shows that the vast majority of the site is located in Flood Zone 1. The area along the watercourse in the south western part of the site is located in Flood Zone 2 and Flood Zone 3 and is shown on the drawing above. The EA risk of flooding from Surface Water indicates isolated areas within the site boundary as being at risk of flooding from surface water.
- 1.8 Levels across the application site vary, with the land generally sloping down in a south westerly direction from the A465 towards the tributary watercourse to the River Lugg on the southern boundary of the site. The highest level of the site is on the northern site boundary, adjacent to the A465 which is identified as 80m AOD. The south-west corner of the site for comparison is identified as being 58m AOD. Based on these levels, the site has a drop of 22m from the northern site boundary to the south – west corner of the site. The land rises again on the other side of the tributary water course. There are currently no formal drainage arrangements in place on the existing agricultural land, with all water currently infiltrating into the ground or on sub surface pathways to the tributary of watercourse.
- 1.9 The fields on the northern boundaries of the site which adjoin the A465 have recently been planted with apple trees. These have been identified on the submitted plans.
- 1.10 There are a number of residential properties in close proximity to the site and its boundaries. There are a total of 4 dwellings (1 Old Monkton, 2 Old Monkton, Monkton Court and Monkton

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House) which are located at the end of the unclassified no through road which serves Lodge Farm and all within 150m of the proposed seasonal workers accommodation. There is also 'North Monkton' which is located immediate to the north of Lodge Farm. 'The Lodge Farmhouse' is located to the north of the farm buildings. On the northern boundary of the site is 'Highway House' located to the east of the access to Highway Farm and shares an access with the site. This property is within the ownership of the applicant and will be occupied by a family member. To the west of the access is 'Highcroft Farm' which is in separate ownership. The residential housing estate 'Holme Oaks' is located around 50m to the east of the application site.

The proposal

- 1.11 This application seeks full planning permission for the erection of polytunnels and the necessary infrastructure, including internal farm tracks, a sustainable drainage scheme with attenuation ponds, seasonal workers accommodation and landscaping. The proposed polytunnels are broken down into 11 blocks and will all be used for the growing of table top strawberries covering an area of 37.02 ha in total. In addition, 18.51 ha of apples as will be grown across the site which are largely located on the northern boundary adjacent to the A465.
- 1.12 The overall land owned by the applicant in Ocle Pychard amounts to 145ha. The applicant operates a similar established operation to that being proposed at Withers Farm near Ledbury. It is intended that the proposed fruit growing enterprise will operate in conjunction with Withers Fruit Farm and will supply fruit to Wye Fruit Ltd that is proposed to run along side the existing business.
- 1.13 The proposal is for a mix of year-round polytunnels covering an area of approximately 19.7ha on the lower slopes. The tunnels will all run in a north to south orientation and seasonal polytunnels covering an area of approximately 17.31ha on the upper slopes. The year round tunnels are proposed at 8.2m wide and 5.2m high and constructed using galvanized gothic arched hoops covered permanently with semi translucent rain covers. The seasonal tunnels are proposed to be 8.2m wide with a height of 4.5m, again constructed using galvanised semi-circular hoops with coverage from 1st February to 15th November.
- 1.14 The plan below shows the layout of the proposed polytunnels. The proposed tunnels are to be arranged as "multi-span" tunnels of various lengths to fit the field they are located on. The tunnels are to follow the contours of the ground and are to be anchored by "screw" legs approximately every 2m intervals. The covers are to be a translucent plastic sheet secured over the tubular framework and tied or clipped in place.



Proposed layout of polytunnels PL-04 Rev 2

- 1.15 The proposal includes the use of the existing farm buildings at Highway Farm, with a proposed infill between the existing buildings to accommodate a blast chiller, cold store and loading bay. These will be used to chill, and store harvested fruit for a short period before being transported to the Wye Fruit grading and packing facility in Ledbury.
- 1.16 As well as the polytunnels proposed, the application proposes the installation of 72 static caravans to be located south of Lodge Farm. The supporting documentation advises that the caravans will be capable of accommodating 6 workers, which will enable families or friendship groups to live together. There is also a requirement for seasonal workers facilities to be provided and these are proposed within the existing buildings at Lodge Farm and will include a meeting room, office, gymnasium and laundry room. The internal arrangement of these facilities have not been submitted with this application.
- 1.17 The conversion of two of the existing buildings into permeant manager dwellings is being considered under a separate application (reference P182347). The static caravans and other facilities are to be served by two large package treatment plants which are to be located at the southern end of the field.



Proposed layout of seasonal workers accommodation PL-15

- 1.18 The proposal does not necessitate any new access from the highway. The existing farm access point from Highway Farm on to the A465 will be utilised for all collections and deliveries of the soft fruit produced at the site. The existing access into Lodge Farm from Monkton Farm Lane will be utilised for all traffic connected with the seasonal workers accommodation. Harvested fruit will be moved via internal farm access tracks to the cold store and chiller at Highway Farm. Fruit will then be moved by articulated lorries, of which there will be no more than 2 a day in peak season, to the Wye Fruit packhouse in Ledbury. The work force will access the site direct from the seasonal workers accommodation also proposed as part of this application.
- 1.19 The application also proposes the strategic use of french drains and two surface water attenuation ponds and an underground drainage system to convey the water with final discharge to wetland areas. The aim of the drainage scheme is to ensure all rainwater is managed through the drainage system and to annually undertake a risk assessment and actively manage the run-off from the Polytunnels.
- 1.20 In addition to the rainwater/surface water scheme, a separated sealed drainage system to capture water from the table top strawberry areas within the polytunnels is included as part of the scheme. Any surplus water that could contain fertilizers and pesticides coming from the table top strawberry production will be segregated from rainwater and conveyed in a separate sealed system to two underground chambers where it will be re-used via the irrigation system. The system proposed include PVC sealed pipework which will deliver irrigation water injected with fertiliser to the proposed table-top growing beds, and collects unused water for recycling back through the system. Unused water is pumped from the two underground 4,000 litre collection chambers to a storage reservoir from where it is re-supplied to the crops. The reservoir was subject to a separate planning application which was granted prior approval in March 2018 under application 180712/PA7.

- 1.21 The treated foul water on the site will be used to irrigate the apple trees. The applicant proposes to pump treated effluent into two existing 17.1m diameter tanks at Lodge Farm and then use a trickle irrigation system to irrigate the trees, via soakaways. A bespoke Environmental Permit from the EA would be required for this.
- 1.22 The scheme also proposes additional landscaping across the site aimed to mitigate against any visual harm whilst also providing enhancement measures. The landscaping proposed includes retaining and reinforcing existing tree belts along the watercourse and hedgerow boundaries; maintaining existing field patterns; the planting of new orchards to the north and east of the development; and indigenous tree planting around the seasonal workers accommodation.
- 1.23 Once production is fully developed at Ocle Pychard, it is envisaged that the site will employ 23 full time workers and 330 seasonal workers. Seasonal workers will not be allowed to bring private motor vehicles to the site. Minibuses will be used to transport workers to and from the site, as well take them into Hereford for shopping and leisure days out. The number of seasonal workers varies at different times of the year and the applicant has provided the table below which identified the number of seasonal workers needed on the site in each calendar month.

Month	Harvest	Husbandry	Tunnels	Irrigation	Total
January	0	70	5	5	80
February	0	70	8	6	84
March	0	75	15	11	101
April	0	75	15	11	101
May	220	80	13	10	323
June	232	75	13	10	330
July	220	85	15	10	330
August	250	62	8	10	330
September	200	45	8	6	259
October	150	17	6	4	177
November	20	40	4	4	68
December		40	4	4	48

- 1.24 The proposal is Schedule 2 development under the Town & Country Planning (Environmental Impact Assessment) Regulations 2017. To this end, a screening exercise has been undertaken by the Council which concluded that due to the projects size, nature and location the proposal does not represent development for which an Environmental Statement would be required. The application is, however, supported by a number of documents:-

- Design & Access Statement
- Planning Statement
- Archaeology Report
- Noise Management Plan
- Flood Risk Assessment & Surface Water Drainage Management Plan
- Ecological Assessment
- Landscape Character & Visual Assessment
- Detailed Landscape Plan
- Heritage Impact Statement for Polytunnel Development

2. Policies

2.1 National Planning Policy Framework

- Section 1 - Introduction
 Section 2 - Achieving Sustainable Development

Further information on the subject of this report is available from Ms Rebecca Jenman on 01432 261961

Section 4	-	Decision – Making
Section 6	-	Building a Strong, Competitive Community
Section 9	-	Promoting Sustainable Transport
Section 14	-	Meeting the Challenge of Climate Change, Flooding and Coastal Change
Section 15	-	Conserving and Enhancing the Natural Environment
Section 16	-	Conserving and enhancing the Historic environment

2.2 Herefordshire Local Plan – Core Strategy

SS1	-	Presumption in Favour of Sustainable Development
SS4	-	Movement and Transportation
SS5	-	Employment Provision
SS6	-	Environmental Quality and Local Distinctiveness
SS7	-	Addressing Climate Change
RA3	-	Herefordshires Countryside
RA4	-	Agricultural, forestry and rural enterprise dwelling
RA6	-	Rural economy
MT1	-	Traffic Management, Highway Safety and Promoting Active Travel
E1	-	Employment Provision
LD1	-	Landscape and Townscape
LD2	-	Biodiversity and Geodiversity
LD3	-	Green Infrastructure
LD4	-	Historic Environment and Heritage Assets
SD1	-	Sustainable Design and Energy Efficiency
SD2	-	Renewable and Low Carbon Energy
SD3	-	Sustainable Water Management and Water Resources
SD4	-	Waste Water Treatment and River Water Quality

2.3 Ocle Pychard Neighbourhood Development Plan

A Neighbourhood Development Plan has been drafted and was sent for examination on the 22nd May 2018. The examiners report was received on the 17th December 2018 and recommended that the NDP progresses to referendum which is scheduled for the 14th February 2018.

As the NDP has progressed this far, officers consider it should be given significant weight in the determination of this planning application. Submission objectives and policies of particular relevance to this proposal are summarised below:-

Objectives for economic and social development

The Neighbourhood Development Plan will guide economic and social development by:

- Supporting rural diversification and other forms of economic development which are appropriate to their location and setting.
- Working to improve electronic communications.
- Supporting renewable energy, particularly community-led proposals.
- Supporting the retention of existing community facilities and new provision.
- Identifying Community Actions in respect of matters outside the formal scope of the Neighbourhood Development Plan.

Objectives for the environment

The Neighbourhood Development Plan will ensure that the local environment is protected and enhanced by:

- Providing for the protection, conservation and enhancement of the natural and historic environments in accordance with Local Plan Core Strategy policies.

- Ensuring that new development is in keeping with its surroundings and appropriately designed and accessed.
- Supporting modern design approaches that make a positive contribution to local character and distinctiveness.

Policy OPG1: Sustainable development

In considering the overall contribution of development proposals to the sustainable development of the Ocle Pychard Group Neighbourhood Area, the following principles will be sought and balanced:

1. Enabling new housing to meet strategic requirements and the needs of local communities; and
2. Supporting proposals for new and diversified employment opportunities which are compatible and in scale with the rural nature of the area; and
3. Retaining and enhancing community infrastructure, and promoting and enabling new provision, to meet a range of needs and promote quality of life; and Ocle Pychard Group Neighbourhood Development Plan
4. Taking all opportunities to protect and enhance the distinctive natural and historic environments, with development avoiding undue loss of visual amenity or impacts on landscape character and biodiversity.

Policy OPG7: Economic development in Ocle Pychard Group

Proposals to generate employment and to support and diversify the rural economy will be supported where they are of a scale, type and nature appropriate to their countryside location and setting. This includes:

1. The re-use of redundant rural buildings for business use and for the provision of live/work units;
2. The small-scale extension of existing business premises and commercial facilities;
3. Extensions to existing dwellings needed to enable home working;
4. The development and diversification of farm, forestry and other land-based rural businesses;
5. Rural tourism and leisure proposals, particularly those which serve to sustain, enhance and promote a better understanding of the local natural, historic and cultural environment.

Policy OPG11: Natural environment

Proposals should be able to demonstrate that they protect, conserve and enhance the natural environment in accordance with the principles in Local Plan Core Strategy policies LD1, LD2 and LD3. This includes the following, as is relevant to the proposal:

1. The protection and recovery of European and nationally protected species; and
2. Ensuring that development avoids adverse effects on the River Wye Special Area of Conservation and the Rivers Wye and Lugg Sites of Special Scientific Interest; and
3. Conserving, restoring and enhancing sites and features of biodiversity interest in accordance with their status, including those identified in the Priority Habitats Inventory, Local Wildlife Sites, woodland, veteran trees, hedgerows, ponds and watercourses; and
4. Maintaining, restoring and where possible enhancing the contribution of habitats to the coherence and connectivity of the Herefordshire Ecological Network, and taking into account their role as green infrastructure; and
5. Ensuring that proposals respect the prevailing landscape character, as defined in the County Landscape Character Assessment, including associated views, trees and hedgerows and local features of interest.

Policy OPG12: Historic Environment

Proposals should be able to demonstrate that they protect, conserve and enhance the historic environment and heritage assets in accordance with the principles in Local Plan Core Strategy LD4. This includes the following, as relevant to the proposal:

1. Protecting, conserving and where possible enhancing listed buildings in a manner appropriate to their significance; and
2. Preserving or enhancing the character or appearance of the Ocle Pychard and Ullingswick Conservation Areas; and
3. Taking due account of other undesignated heritage assets including archaeological sites and the historic route of the Herefordshire and Gloucestershire Canal and associated features; and
4. Ensuring that proposals for the redevelopment, alteration or extension of historic farmsteads and agricultural buildings are sensitive to their distinctive character, materials and form.

Policy OPG13: Design and Access

Development proposals should:

1. Respect the character of adjoining development and the wider landscape, having regard to siting, scale, height, massing, detailing, means of enclosure and the use of traditional materials; and
2. Incorporate relevant sustainability measures to include building orientation and design, energy and water conservation, the use of sustainable construction methods and materials, provision for the recycling of waste, cycle storage, communications and broadband technologies, and the generation of renewable energy; and
3. In the case of proposals for new housing, be sited and designed to avoid adverse impacts on the amenity of future occupants from the operation of existing uses, including agricultural and business operations; and
4. Be capable of being safely accessed from the local road network without undue local environmental impacts which cannot be mitigated. The arrangements for access should include provisions for pedestrians and cyclists to encourage active travel wherever practicable; and
5. Avoid creating unacceptable impacts on residential amenity and the tranquillity of the countryside from noise, volume and nature of traffic generated, dust or odour. Where external lighting is proposed, avoid adverse amenity and environmental impacts occurring through light spillage; and
6. Retain and incorporate existing site features of amenity and biodiversity value, such as trees, ponds and hedgerows, as far as practicable; and
7. Provide for new landscaping which is in keeping with the prevailing landscape character, to integrate new buildings in their surroundings and to support green infrastructure and the Herefordshire Ecological Network.

- 2.4 The Core Strategy policies together with any relevant supplementary planning documentation can be viewed on the Council's website by using the following link:-

https://www.herefordshire.gov.uk/info/200185/local_plan/137/adopted_core_strategy

Other relevant guidance

- 2.5 ***Polytunnel Planning advice guide 2018*** – (replacement of the Polytunnels Supplementary Planning Document Adopted 5th December 2008)

- 2.6 National Planning Practice Guidance

3. Planning History

Further information on the subject of this report is available from Ms Rebecca Jenman on 01432 261961

- 3.1 182276/EIA: EIA Screening Opinion for the proposed erection of polytunnels for strawberry table top production and the necessary infrastructure. Issued 25th July 2018 – EIA not required
- 3.2 180712/PA7: Prior approval for the proposed construction of an irrigated reservoir with approximately 200,000m³ water capacity. Approved 22nd March 2018
- 3.3 102161/F: Proposal to cover two concrete areas and erect one feed/livestock building. Approved 2nd November 2018
- 3.4 DCNC091405/F: Installation of above ground slurry store. Approved 5th August 2018

4. Consultation Summary

Statutory Consultations

4.1 Welsh Water: No objection

We refer to your planning consultation relating to the above site, and we can provide the following comments in respect to the proposed development.

As the applicant intends utilising a private treatment works we would advise that the applicant contacts The Environment Agency / Herefordshire Council Land Drainage Department who may have an input in the regulation of this method of drainage disposal.

However, should circumstances change and a connection to the public sewerage system/public sewerage treatment works is preferred we must be re-consulted on this application. Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation.

4.2 Historic England: No comments to make

Thank you for your letter of 20 June 2018 regarding the above application for planning permission. On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.

4.3 Natural England: No objection subject to conditions

Initial response received on 19th July 2018

Summary of Natural England's advice further information required to determine impacts on designated sites

As submitted, the application could have potential significant effects on River Wye SAC Special Area of Conservation (SAC). Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.

The following information is required:

- Further details on how sewage will be treated.
- Clarification of water use/extraction.
- Clarification of what is happening to the irrigation water.
- Further details on the wetland.

Without this information, Natural England may need to object to the proposal.

Further response received on 6th December 2018

Thank you for your consultation dated 20 November 2018 (sent from Juliet Moxon) regarding the Appropriate Assessment for the above proposal.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

In our previous response (19 July 2018) regarding this site Natural England advised that as part of the Habitats Regulations Assessment (HRA), the Local Planning Authority should ensure that there would be no harmful discharges of foul or surface water from the application site into the River Lugg which is part of the River Wye Special Area of Conservation (SAC) which is a European designated site. We specifically requested further details as follows:

- How sewage will be treated.
- Clarification of water use/extraction.
- Clarification of what is happening to the irrigation water.
- Further details on the wetland.

We note that additional details have now been submitted within the amended Flood Risk Assessment and Surface Water Drainage Management Plan; and correspondence regarding the sewage treatment specification, use of effluent and the sealed pipework system. Natural England can therefore agree with the Appropriate Assessment submitted by your authority that sufficient information has now been submitted to rule out the likelihood of significant effects on the River Wye SAC. We also agree with the requirement for suitably worded conditions regarding foul and surface water management.

Internal Council Consultations

4.4 Historic Buildings Officer: No objection

Comments received 9/10/2018

Recommendations:

It is not felt that the proposals would cause adverse harm to the setting of heritage assets.

Background to Recommendations

The proposals are for polytunnels in an area to the West of Olce Pychard, a small conservation area with a Grade 2* listed Church.

Comments:

The setting of the following assets have been considered and the site visited.

It is not felt that those aspects of the setting of these heritage assets which contribute to their significance would be adversely affected by the proposals.

- Quicksets Farm, Grade 2, 200m to the North of the site boundary.
- Ocle Pychard Conservation Area and Church of St James the Great (grade 2*).
- Upper Castleton Grade 2 650m to South East of site boundary.
- Lower Castleton Grade 2 (including barns) 780m to South East of site boundary.

Further comments received on the 19th October following objections from members of the public in relation to the setting of the Ocle Pychard Conservation Area

These comments relate to a query about the setting of the Conservation Area (CA) at Ocle Pychard.

Whilst there is no statutory protection for the setting of a Conservation Area, however it can be a planning consideration and it is considered a Heritage Asset for the purposes of the NPPF.

From the submission there may be areas within the CA where the proposed polytunnels could be experienced.

When looking at setting, it is not just how the heritage asset is experienced, but those aspects of that experience which relate to its significance or importance.

With the Conservation Area at Ocle Pychard it is not felt that the enjoyment or experience of the Church would be adversely affected by the proposals, however there may be areas where the polytunnels are visible.

It is not felt that this change to the experience is sufficient to meet the bar for less than substantial harm to the significance or character of the Conservation Area, however it is noted, as is the concern raised.

Given the concern raised by the member of the public and that we are duty bound to show due diligence I would request more information. The application looks at heritage in part in various documents, it would be beneficial, for the avoidance of doubt, to submit a unified document, drawing on information within the LVIA, planning statement etc which examines the setting of heritage assets in relation to s 189 of the NPPF and the Historic England Guidance Note 3 on the Setting of Heritage Assets. We would be grateful for a further consultation once this information has been submitted.

Comments received on 11/01/2019

In terms of the heritage statement this would meet the requirements of para 189 of the NPPF as it would describe the significance of the heritage assets and the contribution made by setting. We would query whether it would meet the additional guidance from Historic England (GPA3) as the structure doesn't necessarily follow the staged approach in order, it does have the necessary information.

The setting of a Conservation Area is referred to in the NPPF. This is not a statutory protection. It is not felt that the setting of the Conservation Area would be affected in such a way that less than substantial harm would occur. In terms of the setting of the Church, it is not felt that those aspects of the setting of the church which contribute to its significance would be harmed by the proposals. It is not strongly visible within the Landscape from the North, and only glimpsed views would be possible from the Church.

4.5 Planning Ecologist: No objection subject to conditions

Initial response 9/10/2018

I have responded to the requirement for HRA screening for this application and will comment on the ecological survey documents in due course.

Thank you for forwarding the updated ecological assessment which I have read. This appears to be in order and a follow-up statement by the ecologists, with which I would also concur, addresses issues raised by local members of the public.

With regard to site ecology I would suggest that, if given approval, the following non-standard condition is attached:

The recommendations for species and habitat enhancements set out in the ecologist's report from Chris Seabridge and Associates dated July 2008 should be followed unless otherwise agreed in writing by the local planning authority and the scheme shall be carried out as approved. A working method statement for any protected species present together with an enhancement plan integrated with the landscaping scheme should be submitted to the local planning authority in writing. The plan shall be implemented as approved.

An appropriately qualified and experienced ecological clerk of works should be appointed (or consultant engaged in that capacity) to oversee the ecological mitigation work.

Reasons:

To ensure that all species are protected having regard to the Wildlife and Countryside Act 1981 (with amendments and as supplemented by the Countryside and Rights of Way Act 2000), the Natural Environment and Rural Communities Act 2006 and the Conservation of Habitats and Species Regulations 2010 (and 2012 amendment).

To comply Herefordshire Council's Policies LD2 Biodiversity and Geodiversity, LD3 Green Infrastructure of the Herefordshire Local Plan Core Strategy 2013 – 2031 and to meet the requirements of the National Planning Policy Framework (NPPF).

There remains the aspects of Habitats Regulations Assessment highlighted by Natural England in their response. I am content that the sealed crop irrigation system collecting excess fertigation water is adequate mitigation and will include this in an Appropriate Assessment. However, the latter cannot be completed until clarification has been received with regard to the management of foul, the attenuation basins and the operation of the 'wetland' habitat proposed. As this bounds the brook-side of Withington Brook, assurance should be sought in relation to mitigation of any hydrological pollution impacts on this stream which links to the R Lugg – part of the R. Wye Special Area of Conservation

4.6 Service Manager Built and Natural Environment (Landscape Officer):

Initial response - 27th July 2018

Following on from our site visit and having now read the detail of the submitted Landscape and Visual Impact Assessment dated June 2018, I write to advise you that I do wish to carry out further assessment as to the potential visual effects; in particular at Ocle Pychard and 3 Choirs Way. In the meantime there are a number of matters in respect of the application which I will draw to your attention in order for you to highlight these with the applicant:

- A number of existing trees on site are not shown as plotted on the plans, these will need to be shown on the landscape proposals as retained.
- A viewpoint from Thinghill Court at C1130 and WT21 should be assessed as part of the LVIA. Details of the attenuation ponds should be provided in terms of – function/use, extent of excavation, profile of pond/wetland.

- Landscape proposals setting out vegetation for retention/removal and proposed planting will need to be provided as part of the application – however I will advise further on this matter following my additional site visits.

Further comments received on 5/08/2018 – Further information required

The proposal comprises polytunnel coverage for strawberry production of 37.02 hectares of agricultural land; 19.71ha of which is year round coverage, whilst the remaining 17.31ha is seasonal coverage (Feb-Nov). Ancillary development includes the upgrading of the access at Highway Farm; necessitating the loss of hedgerow for visibility splays, the introduction of farm access tracks linking the development, the creation of 2 attenuation ponds and the siting of a number of static caravans to provide workers accommodation within the field south of Lodge Farm.

I have visited the site and its surroundings on a number of occasions; initially to provide pre-application advice for a scheme of this nature in July 2017 and more recently to assess the potential landscape and visual impact following the submission of a full application.

The local landscape character for the site and its surroundings is; Principal Settled Farmlands, defined as; settled agricultural landscapes of dispersed scattered farms, relic comments and small villages and hamlets. This type possesses two key characteristics which are hedgerows to mark field boundaries and mixed farming use. Whilst I disagree with the LVIA that this landscape has undergone considerable change thereby implying a reduction in its quality, I do in essence draw the same conclusion that the overall sensitivity of this undesignated landscape is medium.

Given the complexity of the application there are a number of effects upon the landscape which should be factored into the overall magnitude of impact, these are:

- The introduction of the polytunnel coverage - permanent cover on the lower slopes, seasonal on the upper slopes. a manmade product within an essentially natural landscape,
- The introduction of further farm access tracks and the puncturing through hedgerows to link the access routes.
- Hedgerow loss at Highway Farm to provide visibility splays
- 2 Attenuation ponds – details not submitted do need these – natural ponds planting potential enhancement

My assessment of these effects would conclude that the main impact would arise from the introduction of the polytunnel coverage themselves, however given that this type of development can be removed and does not result in the loss of elements within the landscape I would not conclude that the impact is significant.

Whilst I do not anticipate any of the other aforementioned impacts to be of a significant nature, to aid comprehension of the scheme I do seek clarification on the extent of roadside hedgerow removal at Highway Farm as well as detail on the proposed attenuation ponds; use, profiling etc.

In respect of the anticipated visual effects, I am satisfied that I have visited all of the viewpoints identified within the landscape report with the case officer and that we have a clear understanding of the degree of any potential effects.

In my professional view the proposed site does benefit from both topography and extensive vegetative cover in particular along the watercourse. This provides a relatively strong visual buffer to the polytunnel coverage along the lower slopes. Views of the upper slopes are more readily available in particular along Three Choirs Walk; however the views are still confined to small sections of the fields and often filtered by vegetation. The orchard planting, some of which

is already in place, will mitigate these views further once fully established and with planting within the framework of the site these identified effects could be mitigated further.

Clearly the bridleway which crosses the site will experience a significant adverse visual effect which can only be lessened a small degree by setting back polytunnels to maintain a sense of openness, but aside from this PROW I would anticipate the visual effects at the remaining viewpoints to be moderate adverse at most with mitigation in place.

As a final note on visual effects; one viewpoint identified by myself with the case officer which should be assessed for completeness, is that referenced in my earlier comments at Thinghill Court.

With regard to mitigation; I would acknowledge that the work that has already been carried out in terms of primary mitigation; the engagement of a landscape consultant at the early stages has resulted in a development which seeks to minimise the landscape and visual effects from the outset and this is welcomed.

The proposed orchard planting, some of which is already in place breaks up the scheme and reduces adverse effects on residential amenity, which also shows a degree of forethought. There are four final recommendations which should be incorporated into the landscape proposals:

- There is a small section along the watercourse which would benefit from further gapping up through tree planting.
- The internal hedgerows should be maintained at approximately 5m and hedgerow tree planting should be incorporated to filter views from the higher ground to the south.
- The proposed attenuation ponds should be designed with an organic form and moisture loving plants in order that they provide enhancement.
- Finally and perhaps of most significance in terms of complying with policy LD1 of the Core Strategy, further consideration should be given to views from the southern approach along the lane to the static caravans – a robust landscape buffer needs to be proposed along this southern field boundary, the static caravans already arranged within the field provide a good indication of the degree of adverse visual effect that can be anticipated, a tree belt along this perimeter would be most appropriate.

My overall findings would conclude that the effects on both landscape and visual amenity are likely to be moderate adverse. I would ask for the requested information to be forwarded to myself in order to ensure I am fully conversant with the effects, following on from the submission of this detail I will advise the planning officer accordingly. Landscape proposals should be amended to reflect the aforementioned points and detailed specification with a robust management plan could then be submitted via a condition if approved.

Further comments received 9/01/2019 – No objection subject to conditions

I have reviewed the amended landscape drawings PL-05 Rev 3 and PL -15 showing field A15 at a scale of 1:500. I am satisfied with the proposed planting – the gapping up of hedgerow and additional hedgerow trees shown.

I would recommend the following conditions be applied:

The soft landscape works shall be carried out in accordance with the approved plans; PL-05 Rev 3 and PL -15 within a timescale set out within an implementation programme submitted and agreed in writing by the local planning authority, prior to the commencement of works.

Before the development is brought into use a schedule of landscape management and maintenance for a minimum of 5 years shall be submitted to and approved in writing by the local planning authority. Maintenance shall be carried out in accordance with the approved schedule

Ideally the management period which would relate to hedgerow height would be for a 10 year period, but I will leave that to your discretion

4.7 Drainage Engineer: No objection subject to conditions

Date of this response: 21/11/2018

We provided comments to the above planning application in July 2018. We requested the following information to be submitted prior to planning permission being granted:

1. Confirmation of the purpose of the 'PVC sealed pipework';
2. Further information on the amount of water to be drained to the irrigation reservoir; the proposed capacity of the reservoir; how the reservoir will be managed to ensure no increased risk of flooding in the area or elsewhere; drawing showing details of the reservoir, including information on whether the reservoir will be covered or raised above ground level; whether water from the irrigation reservoir will be discharged to the nearby watercourse; the nature and management of pollution risks; and the need for a pumped system and residual risks in the event of pump failure;
3. Confirmation whether the development will be built in phases.

In addition, we recommended that the following information is requested in suitably worded planning conditions:

4. Demonstration that the Applicant has allowed for greater uncertainty in the mapped fluvial flood extents and evidence that the location of Attenuation Basin 2 or other proposed features has taken these allowances into account;
5. Detailed drawings of proposed surface water attenuation features, wetlands and outfall structures;
6. Results of infiltration testing at the location(s) and proposed depth(s) of any proposed surface water attenuation/infiltration structure(s), undertaken in accordance with BRE Digest 365 methodology;
7. Demonstration that an appropriate Panel Engineer has been consulted in the design of proposed attenuation features with capacity greater than 10,000m³; and assessment of potential failure of above-ground attenuation features, including assessment of residual risks to downstream receptors, and proposed mitigation and management measures;
8. Detailed drawing demonstrating the management of surface water runoff during events that may temporarily exceed the capacity of the drainage system, including conveyance systems;
9. Detailed drawings of the foul water drainage strategy showing how foul water from the development will be disposed of and illustrating the location of key drainage features;
10. Infiltration rates at the location(s) and proposed depth(s) of any proposed foul water drainage fields, undertaken in accordance with BS6297 and Building Regulations Part H;
11. Confirmation of groundwater levels to demonstrate that the invert level of any unlined surface water attenuation features or foul water drainage fields can be located a minimum of 1m above groundwater levels;

12. Demonstration that the risk of water backing up the surface water drainage system from any proposed outfall has been considered and, if necessary, how this risk will be managed without increasing flood risk to the site or to people, property and infrastructure elsewhere, noting that this also includes failure of flap valves;

13. Completed application for Ordinary Watercourse Consent for any proposed structures within an ordinary watercourse or works within 8m of an ordinary watercourse.

We also advised that if the results of infiltration testing indicate that infiltration will provide a feasible means of managing surface water runoff, an alternative drainage strategy should be submitted to the Council for review and approval. Best practice SUDS techniques should be considered and we promote the use of combined attenuation and infiltration features that maximise infiltration during smaller rainfall events. Similarly, if the results of infiltration testing indicate that infiltration will not provide a feasible means of managing foul water discharge, an alternative drainage strategy must be submitted to the Council for review and approval.

This response is in regard to flood risk and land drainage aspects, with information obtained from the following sources submitted by the Applicant in September 2018:

- Email dated 4.09.2018;
- Revised Flood Risk Assessment, August 2018;
- Proposed Agricultural Reservoir Design, drawing ref. 1725 05A;
- Information on sealed pipework system.
- Also the email from Mid West Planning dated 21st November 2018 describing the existing slurry tanks that are to be used for effluent storage

Point 1: Confirmation of the purpose of the 'PVC sealed pipework'.

We understand via information provided by the Applicant that the PVC sealed pipework delivers irrigation water injected with fertiliser to the proposed table-top growing beds, and collects unused water for recycling back through the system. Unused water is pumped from two underground 4,000 litre collection chambers to a storage reservoir from where it is re-supplied to the crops.

Point 2: Further information on the amount of water to be drained to the irrigation reservoir; the proposed capacity of the reservoir; how the reservoir will be managed to ensure no increased risk of flooding in the area or elsewhere; drawing showing details of the reservoir, including information on whether the reservoir will be covered or raised above ground level; whether water from the irrigation reservoir will be discharged to the nearby watercourse; the nature and management of pollution risks; and the need for a pumped system and residual risks in the event of pump failure.

Applicant states that the reservoir is the subject of a separate planning application (ref. P180712) and therefore the details of the reservoir are not included in this submission. The submitted documents state that planning permission has already been granted for the irrigation reservoir. No further review of the reservoir (including the assessment and design of spillways, outfalls, flood risk etc) has therefore been undertaken to inform our response to this planning application for the erection of polytunnels.

The Applicant states that temporary submersible water pumps will be installed in the proposed surface water attenuation ponds to transfer runoff water to the reservoir for use for irrigation. If and when the reservoir is full, the transfer pumps will be switched off and surface water runoff

within the attenuation ponds will be discharged at greenfield runoff rates to the adjacent watercourse.

Point 3: Confirmation whether the development will be built in phases.

We understand that it is not proposed to build the proposed polytunnel development in phases. The Applicant states that the reservoir will be built in Spring 2019 and that the attenuation ponds will be built by summer 2019. It is not intended that the polytunnel covers are used prior to the attenuation ponds being built.

Point 4: Demonstration that the Applicant has allowed for greater uncertainty in the mapped fluvial flood extents and evidence that the location of Attenuation Basin 2 or other proposed features has taken these allowances into account.

The revised FRA includes 1D hydraulic analysis of the extents of the floodplain in relation to the location of Attenuation Basin 2 considering climate change impacts. The exercise is based on LiDAR data obtained for the area of the proposed development and its surroundings, which then was used to create a number of cross sections along the brook. The analysis was also supported by on-site observations and measurements. The modelling report concludes that the analysis confirms that the floodplain extents shown on the EA's Flood Map for Planning are broadly correct, if somewhat conservative, and therefore can be used to guide the development. The Applicant concludes that the proposed Attenuation Basin 2 is located outside of the floodplain extent envisaged for the 1 in 100 year event with 70% climate change allowance.

Point 5: Detailed drawings of proposed surface water attenuation features, wetlands and outfall structures.

The Applicant states that this information will be provided at detailed design stage. We agree with this approach. As advised in our previous response, we recommend this information is requested via suitably worded conditions.

Point 6: Results of infiltration testing at the location(s) and proposed depth(s) of any proposed surface water attenuation/infiltration structure(s), undertaken in accordance with BRE Digest 365 methodology.

No additional information was submitted. As advised in our previous response, we recommend this information is requested via suitably worded conditions.

Point 7: Demonstration that an appropriate Panel Engineer has been consulted in the design of proposed attenuation features with capacity greater than 10,000m³; and assessment of potential failure of above-ground attenuation features, including assessment of residual risks to downstream receptors, and proposed mitigation and management measures.

No additional information was submitted. As advised in our previous response, we recommend this information is requested via suitably worded conditions.

Point 8: Detailed drawing demonstrating the management of surface water runoff during events that may temporarily exceed the capacity of the drainage system, including conveyance systems.

The Applicant states that this information will be submitted at the detailed design stage of the project. We agree with the proposed approach. As advised in our previous response, we recommend this information is requested via suitably worded conditions.

Point 9: Detailed drawings of the foul water drainage strategy showing how foul water from the development will be disposed of and illustrating the location of key drainage features.

The Applicant states that this information will be submitted at the detailed design stage of the project. We agree with the proposed approach. As advised in our previous response, we recommend this information is requested via suitably worded conditions.

Point 10: Infiltration rates at the location(s) and proposed depth(s) of any proposed foul water drainage fields, undertaken in accordance with BS6297 and Building Regulations Part H.

The Applicant states that considering likely low soil infiltration rates, treated foul water is proposed to be used to irrigate apple trees. The applicant has proposed pumping treated effluent into two existing 17.1m diameter tanks and then use a trickle irrigation system to irrigate the trees, via soakaways.

The Environment Agency have advised that it would not be acceptable to surface irrigate the trees. Any proposals to irrigate the trees would need to discharge continually to ground. The soakaway would need to be designed in such a way that it is in contact with the most number of trees whilst still being a closed loop. An Environmental Permit would be required, this would be a bespoke application to the Environment Agency.

Point 11: Confirmation of groundwater levels to demonstrate that the invert level of any unlined surface water attenuation features or foul water drainage fields can be located a minimum of 1m above groundwater levels.

The Applicant states that this is not applicable as no infiltration is proposed. We highlight, however, that this information will be required should infiltration of foul water form part of the detailed design. As advised in our previous response, we recommend this information is requested via suitably worded conditions as required.

Point 12: Demonstration that the risk of water backing up the surface water drainage system from any proposed outfall has been considered and, if necessary, how this risk will be managed without increasing flood risk to the site or to people, property and infrastructure elsewhere, noting that this also includes failure of flap valves.

The Applicant submitted information regarding the discharge of effluent rather than the discharge of surface water runoff from the attenuation ponds to the nearby watercourse. As advised in our previous response, we recommend this information is requested via suitably worded conditions as required.

Point 13: Completed application for Ordinary Watercourse Consent for any proposed structures within an ordinary watercourse or works within 8m of an ordinary watercourse.

No additional information was submitted. As advised in our previous response, we recommend this information is requested via suitably worded conditions.

Overall Comment

In our opinion, the Applicant has submitted sufficient information regarding flood risk and drainage aspects for planning permission to be granted.

It is recommended that the following information is requested in suitably worded planning conditions:

1. Detailed drawings of proposed surface water attenuation features, wetlands and outfall structures;

2. Demonstration that an appropriate Panel Engineer has been consulted in the design of proposed attenuation features with capacity greater than 10,000m³ set above the natural level of the surrounding land; and assessment of potential failure of above-ground attenuation features, including assessment of residual risks to downstream receptors, and proposed mitigation and management measures;
3. Detailed drawing demonstrating the management of surface water runoff during events that may temporarily exceed the capacity of the drainage system, including conveyance systems;
4. Detailed drawings of the foul water drainage strategy showing how foul water from the development will be disposed of and illustrating the location of key drainage features;
5. If infiltration of foul water is proposed to be discharge to the ground, infiltration rates at the location(s) and proposed depth(s) of any proposed foul water drainage fields, undertaken in accordance with BS6297 and Building Regulations Part H;
6. Demonstration that the risk of water backing up the surface water drainage system from any proposed outfall has been considered and, if necessary, how this risk will be managed without increasing flood risk to the site or to people, property and infrastructure elsewhere, noting that this also includes failure of flap valves;
7. Completed application for Ordinary Watercourse Consent for any proposed structures within an ordinary watercourse or works within 8m of an ordinary watercourse.

It is also recommended that a suitably worded planning condition is applied to ensure that no polytunnel covers are used before the attenuation ponds are completed and fully operational in accordance with detailed designs.

4.8 Archaeological Advisor: No objection subject to conditions

Response 11th July 2018 – Further information required

This is a large scale development, relating - partly at least - to areas of potential archaeological interest and sensitivity.

I note the submission of an appropriate archaeological desk based assessment, the conclusions of which I am largely in agreement with. There are some risks here in relation to buried medieval period remains in particular, but these risks are currently difficult to quantify and properly understand.

Accordingly, it will also be necessary in this case to provide an early stage archaeological field evaluation report under Para 128 of the NPPF. This would consist of suitable trial trenching, the details of which are currently being finalised.

I would expect the evaluation to take place very shortly, and will provide further appropriate advice at the point of its effective completion.

Comments received on the 10th December 2018

The archaeological interest and sensitivity of the site, as now more fully defined by field evaluation, appears to be as follows.

Firstly it is clear that over much of the particular area in question, there is actually low potential for any finds of significance. The evaluation and other evidence indicates extensive loss through agricultural disturbance over the last decade or so, to the extent that little remains of the medieval 'settlement' features hitherto recorded within the western parts of the wider site. This is even assuming they were medieval in the first place, and I think some doubt has now been

cast on this. There are occasional other remains of interest identified, but on the whole, these are intermittent and of comparatively low importance.

The exception is in the part of the site assessed by Trenches 36 -40 [ie at the eastern end of the area trenched] In this location, an appreciable amount of medieval pottery was recovered, suggestive of proximity to further remains of interest. Also, and unexpectedly, Iron Age pottery and stone surfaces likely to be associated in some way were identified. These finds are of more significance, and although clearly limited in extent, need to be taken account of in any planning decision. In my view, having regard to the evidential value here, and the circumstances of the case, I would regard these finds as being of local to regional importance.

Given the above, and given that the sensitive area is very localised, I have **no objections** as regards the scheme as a whole. However, particularly given the association with a proposed attenuation pond here, it would be necessary to achieve mitigation via archaeological recording prior to any development. In essence, in the event of planning permission being granted, a full archaeological excavation will be required. Such an excavation would accord with Core Strategy Policy LD4 , and with Para 199 of the NPPF. It would be secured via 'programme of work' Planning Condition E01 /C47 .

4.9 Conservation Manager (Trees): No objection subject to conditions (10/7/2018)

Having visited the site and read the reports I don't have any objections to the proposals. There are a number of mature trees, mainly located on the outer edge of the site, which provide valuable habitat which are to be retained. There are at least 2 veteran trees (T5 and another, an Ash tree located in location where it will not be directly impacted by the design. Paragraph 118 of the National Planning Policy Framework –

•planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss

Because the trees are not highlighted for removal I don't have any reason to object. I would however like to see how poly tunnels will be designed / orientated so that sufficient clearance is given to T5 which will be surrounded.

The no dig method proposed for the access road will mean that minimal impact should occur to trees whose roots encroach the track.

Accordingly I think that the proposals have minimal impact on the trees on site, the planting of new trees and the orchard will add to the local green infrastructure therefore complying with LD1 & LD3 of the Herefordshire Core Strategy.

4.10 Environmental Health Officer (Noise and Nuisance): No objection subject to conditions

My comments are with regard to potential noise and nuisance issues that might arise from development.

Storage site at Highway Farm

The applicant has provided further information regarding the proposed 3 compressor units to serve the blast chiller and cold store proposed. Provided that the barn immediately to the south west is retained and can continue to act as a barrier our department has no objections to this plant on noise grounds. I do however note that there is the potential for vehicular activity

(delivery of fruit into storage and removal of fruit off site) in the yard area to impact on the residents of Highway House.

The applicant is therefore requested to supply details of anticipated vehicular activity in the yard area. By this I mean vehicle type, the number and hours of delivery of fruit into storage and which means of access into the storage area it is intended to use (south west or north east?). Similarly the details and hours of proposed collection of the fruit from site. This is to so that the impact on the amenity of the residents at Highway House.

Seasonal agricultural workers accommodation

If permission were granted, the site would need a caravan site licence from the Council's Licensing section which amongst other conditions would specify minimum distances between caravans. I have concerns that the proposed number of caravans and the number of residents within the caravans could cause amenity issues in terms of noise for the neighbouring occupants at Monkton Court.

Notwithstanding management controls that could be put in place such as a prohibition on amplified music just human voices could be an issue. At the very least the applicant is requested to supply a noise management plan and proposals for noise attenuation for the site as part of the planning application

Further comments received on 8th January 2019

My comments are with regard to potential noise and nuisance issues that might arise from development.

The applicant has supplied further information in relation to the vehicular movements at Highway Farm and also a revised noise management plan dated December 2018 for the seasonal agricultural workers accommodation.

A fruit traffic management statement has been requested and now supplied which outlines the fruit transportation on site to the blast chiller and cold store and then off site. From a noise and nuisance perspective I do not have any objections to these proposals. To safeguard the amenity of neighbouring residents however, I recommend a condition which restricts HGV movements at Highway farm to and from the site such that movements be restricted to not take place between the hours of 20:00 and 07:00 Mondays to Sundays.

I am of the opinion that in particular the voices carrying from the seasonal workers accommodation could have some impact on the resident(s) immediately to the south west of the proposal at Monkton Farmhouse, especially during the high season and summer months. To a lesser extent this may also happen at Old Monkton but these premises are to a degree shielded by existing farm buildings. This does not mean that neighbours will be nuisance and I therefore take the view that should it be minded to grant planning permission what practical mitigation can be put in place should be.

I therefore recommend the following conditions:

The manager of the caravan site resides in the house to be converted to the immediate north of the caravans.

The provision of recreational facilities for the seasonal workers be placed to the immediate north of the caravans and to the east of the proposed football pitch in the area shown on the plan OCLE PYCHARD PL-06 supplied on 6th December 2018.

No amplified music outside on site.

No motor vehicles or motorbikes on site.

No fireworks on site.

No use of power tools or machinery on site outside the hours of 08:00am to 20.00 Mondays to Sundays

A record to be kept of any complaints by neighbours and action taken to be held by the Camp Site Manager to be made available to the local Planning Authority on request

4.11 Highways Engineer: No objection

Traffic Generation

As stated in the Design and Access statement, most of the movements associated with this development will happen internally throughout the farm land. Only 2 HGV movements per day are associated with this development. Lodge farm is not an operating dairy farm, therefore agricultural and other movements associated with it at Lodge Lane are no longer relevant. From this information, it is not considered that the impacts upon the public highway are significant in association with this development.

Parking, Turning and Manoeuvring

No material change to parking, turning or manoeuvring arrangements are set out in the development.

Site Location and Access

The site is the land at lodge farm and highway farm adjacent to the A465. The proposal does not necessitate any new accesses to the highway. Access will remain to the fields through Highway Farm, and from Monkton Farm Lane to the west.

Visibility

Pre- application advice was sought with this application in mind. The visibility splays supplied by the client in conjunction with PJA and shown in the Design and Access statement are suitable with the DMRB one step below guidance in mind.

Drainage

The developer should ensure that no surface water runs off on to the public highway because of this development.

Waste Collection

A recycling strategy is highlighted in the application form.

Conclusion

The transportation department has **no objections to this application.**

4.12 Waste Management Officer: No objection

Please note waste produced from seasonal workers accommodation would be classified as commercial waste. Suitable storage arrangements should be made for all waste produced and suitable arrangements should be made to have the waste collected and disposed of safely by an authorised organisation. Commercial waste is not accepted through household waste services provided by the council.

Access to the commercial waste bins should be suitable for an RCV and the distance from where the RCV can safely access and the collection point for the bins should be kept to a minimum.

The trade waste service provided by the council requires a risk assessment and assumes a max laden vehicle weight of 26 tonnes

4.13 Public Right of Way Officer: No objection – 21st June 2018

Public footpath OP9 and bridleway OP10 cross the site. A field edge footpath must be allowed a minimum width of 1.5 metres, and a field edge bridleway must be allowed a minimum width of 3 metres. Providing this is the case, PROW will not object to the proposal.

Following amendments to the proposal the PROW Officer confirmed on the 20th November 2018 that previous comments still stand.

4.14 Herefordshire Ramblers: No objection

No objection, subject to adequate provision being made for Public Footpath OP9 and Public Bridleway OP10 to continue through the site without obstacle or hindrance.

4.15 River Lugg Drainage Board : No objection subject to Bye Laws and S15 of the Land Drainage Act 1991 being met

With reference to the above application dated 20th June 2018. The Board must advise that this site is located within its rateable area and has the potential to have direct effect on the Board's operational interests and watercourses under the Board's control the Little Lugg, Kymin Section, Lateral No 2.

Therefore, in accordance with the Board's Bye Laws and S15 of the Land Drainage Act 1991 1991:

Requirements

1	A permanent 9 metre access strip is required alongside the Little Lugg, Kymin Section, Lateral No. 2 within the development site, for watercourse maintenance purposes. The written consent of the Board must be obtained for any structure or tree planting within 9m of any Board controlled watercourse measured from the top of the bank or on the landward side of any embankment. Clear unimpeded access for heavy plant is required to and throughout the maintenance area.
2	Any works must not compromise the stability of the bank or create a gradient of more than 1:20 towards the watercourse.

The Flood Risk Assessment states that there will be a discharge of storm water to Little Lugg, Kymin Section, Lateral No. 2 and I would like to inform you of the Board's standard requirements in respect of surface water disposal and ask that they be taken into consideration when the application is assessed.

Requirements

1	Rates for storm water runoff discharged from the site to replicate or achieve a reduction from the ' <i>greenfield</i> ' response of the site over a range of storm probabilities, accompanied by the <i>required On-site Storage</i> designed for the 1 in 100 year storm event.
2	For the range of annual flow rate probabilities, up to and including the 1% annual probability (1 in 100 year storm event) the developed rate of run-off discharged from the site into an ordinary watercourse shall be no greater than the undeveloped rate of run-off for the same event.
3	The potential effect of future climate change shall be taken into account by increasing the rainfall depth by 10% for computing storage volumes.

4	All in compliance with The Institute of Hydrology Report 124 (IoH 124) - Flood estimation for small catchments (1994)
5	All to the satisfaction of the Engineer to the Board
6	No additional surface water run-off to adjacent watercourse or any outfall structure is permitted without written Land Drainage Consent, which would have to be obtained from the Board under the terms of the Land Drainage Act 1991 and the Flood and Water Management Act 2010.

I would also draw your attention to:

- The area of River Lugg Internal Drainage Board is a Natural Flood Plain and whilst every effort will continue to be made to guard against and to alleviate flooding, no guarantee can be given against the worst effects of abnormal weather and river conditions.
- Compliance with the recommendations in the following Report: “Technical Guidance to the National Planning Policy Framework 2012”.
- That both current and future developers/owners should be made aware of the risks associated within the area being considered.

5. Representations

5.1 Ocle Pychard Parish Council: Objection

Initial response received on the 18/07/2018

Following their meeting last night, the Parish Council would like to make the following statement regarding planning application 182191.

“Ocle Pychard Group Parish Council wish to object to this application for the following reasons:

- The overbearing nature of the proposal
- Loss of local ecological habitats and wildlife.
- Access and highway safety on the A465
- Traffic generation in a small community
- Noise and disturbance from the scheme
- Detrimental effect on the public visual amenity of the area.

Should Herefordshire Council decide to approve this application regardless of the significant opposition to it, the Parish Council wish the following statement to be taken into consideration.

Whilst the council welcomes the mitigating factors included in the plan, and are not opposed in principle to agricultural development, we remain concerned that more could be done to mitigate the impact that such a large development will have on the local area.

We recognise that there is considerable community opposition to this proposal. National, county and local planning policies suggest that developments should protect and enhance the distinctive natural and historic environments, with development avoiding undue loss of visual amenity or impacts on landscape character and biodiversity. A significant proportion of the local community feel that any polytunnels, or certainly this large acreage of poly tunnels, will conflict with this policy.

Therefore, after listening to our parishioners and reviewing the documents we suggest:

Additional tree lines to break up the public visual amenity impact and reduce soil erosion, and associated flood risk from the top fields could also be provided. We suggest along the boundaries between fields:-

- A1 and A2,
- A2 and both A3 and A4
- A3 and A4.

Reviewing the supporting documents the council feel that additional bird nesting boxes could be provided - 5 being very meagre for such a large development and insufficient to offset the loss of natural habitat. Naturally the proposed extra tree lines would also provide sites for extra bird boxes to be sited.

Whilst we note that there will be enhanced buffer strips along the edges of the development, the importation of native species/colonies of bees should also be a feature of this development, which is a common factor in many poly tunnel developments to ensure the local species are enhanced or replaced should they be (inevitably) disturbed during the development of this project. This could be built into the first 5 years of the development.

Following on from that, the EIA should also look carefully at the site for badger setts, brown hares and curlews which have all been historically noted as being present.

The application provides for new and wider splays at entrance points in particular the packing plant. We would welcome limitations on the hours of working for that facility to reduce noise and traffic along the A465 to avoid the risk of road traffic incidents and disruption to existing domestic and agricultural activities.

We also note that the county council should monitor and enforce the implementation of the various laws and codes of conduct for this development rigorously, and we will be following this up should this development go ahead. The applicant has additional land adjacent to this proposed development (west of Monkton Farm) which could be developed in the future so adherence to planning laws and codes of conduct should be considered for any future development.”

Comments received on 17th October 2018 following amendments made to the proposal:

Following their meeting last night, the Parish Council wish to continue to object to this application on the same grounds as before.

Comments received on the 26th November following further amendments and submission of addition information:

Following the consultation on the amended application Ocle Pychard Group Parish Council wish to continue to object to this application for the following reasons: -

- The overbearing nature of the proposal
- Loss of local ecological habitats and wildlife.
- Access and highway safety on the A465
- Traffic generation in a small community
- Noise and disturbance from the scheme
- Detrimental effect on the public visual amenity of the area.

Should Herefordshire Council decide to approve this application regardless of the significant opposition to it, the Parish Council wish the following statement to be taken into consideration.

Whilst the council welcomes the mitigating factors included in the plan, and are not opposed in principle to agricultural development, we remain concerned that more could be done to mitigate the impact that such a large development will have on the local area.

We recognise that there is considerable community opposition to this proposal. National, county and local planning policies suggest that developments should protect and enhance the distinctive natural and historic environments, with development avoiding undue loss of visual amenity or impacts on landscape character and biodiversity. A significant proportion of the local community feel that any poly tunnels, or certainly this large acreage of poly tunnels, will conflict with this policy.

Therefore, after listening to our parishioners and reviewing the documents we suggest:- Additional tree lines to break up the public visual amenity impact and reduce soil erosion, and associated flood risk from the top fields could also be provided.

We suggest along the boundaries between fields:-

- A1 and A2,
- A2 and both A3 and A4
- A3 and A4.

Reviewing the supporting documents the council feel that additional bird nesting boxes could be provided - 5 being very meagre for such a large development and insufficient to offset the loss of natural habitat.

Naturally the proposed extra tree lines would also provide sites for extra bird boxes to be sited. Whilst we note that there will be enhanced buffer strips along the edges of the development, the importation of native species/colonies of bees should also be a feature of this development, which is a common factor in many poly tunnel developments to ensure the local species are enhanced or replaced should they be (inevitably) disturbed during the development of this project. This could be built into the first 5 years of the development.

Following on from that, the EIA should also look carefully at the site for badger setts, brown hares and curlews which have all been historically noted as being present.

The application provides for new and wider splays at entrance points in particular the packing plant. We would welcome limitations on the hours of working for that facility to reduce noise and traffic along the A465 to avoid the risk of road traffic incidents and disruption to existing domestic and agricultural activities.

We also note that the county council should monitor and enforce the implementation of the various laws and codes of conduct for this development rigorously, and we will be following this up should this development go ahead. The applicant has additional land adjacent to this proposed development (west of Monkton Farm) which could be developed in the future so adherence to planning laws and codes of conduct should be considered for any future development.”

Comments received on the 13th December 2018:

Following the re-consultation of application 182191, OPGPC wish to continue to OBJECT to the application for the following reasons:

- The overbearing nature of the proposal
- Loss of local ecological habitats and wildlife.
- Access and highway safety on the A465
- Traffic generation in a small community
- Noise and disturbance from the scheme
- Detrimental effect on the public visual amenity of the area.

5.2 Much Cowarne Parish Council: Object

The Parish Council welcome job creation and business growth which will be beneficial to the local area, and Herefordshire as a whole. However the Parish Council feel that the application is too large and would benefit from a significant reduction in scale, to avoid undue impact on the local community. The Parish Council would also welcome the inclusion of a significant community contribution, for example to support Burley Gate village hall, which is located within the parish of Ocle Pychard.

5.3 Withington Parish Council: Object

Comments received on the 16th July 2018

Withington Group Parish Council would like to object to Planning Application 182191. They would like to support Ocle Pychard PC's objection, and endorse their comments.

5.4 CPRE – Objection

Below is a summary of objection received:

1. The proposed development is of a scale and nature that would cause unacceptable harm to this rural landscape.

The proposed development is intrinsically disharmonic with this landscape pattern. It is on a massive scale of highly visible closely packed plastic tunnels and supporting buildings including a large number of caravans giving an industrial urban appearance totally incongruous in this setting.

Conflict with National Policy

The Government's 25 Year Environmental Plan has, as one of its goals, to: "conserve and enhance the beauty of our natural environment, and make sure it can be enjoyed, used by and cared for by everyone... by: Safeguarding and enhancing the beauty of our natural scenery and improving its environmental value while being sensitive to considerations of its heritage and focusing on increasing action to improve the environment from all sectors of society".

The National Planning Policy Framework (NPPF) states that the purpose of the planning system is to contribute to the achievement of sustainable development.

2. There would be great loss of visual amenity to users of several highways and public rights of way both on and adjacent to the site.

Paragraph 3.3.1 of the LVIA includes Table 1 indicating the "relevant visual receptors". Included in this table are no less than 9 public locations including the iconic Three Choirs Way and 27 properties. Omitted from this list are Bridleways YK15 and WS3 and Footpath WSI all of which would have visual amenity impaired on routes from Shucknall Hill and White Hill towards Westhide.

Photographs taken from the visual receptors are misleading: they show the current fields which do not appear prominent. It should however be noted that the proposed polytunnels would be 4.5 metres high (seasonal but for 9.5 months per year) and 5.2 metres high (year-round). One would expect the developer to provide maps with the Zone of Theoretical Visibility clearly marked. It is our contention that once erected the structures would be very highly visually intrusive from points all around the proposed site, given their height and vast expanse.

3. Cumulative effect throughout Herefordshire.

There are a number of large-scale polytunnel developments throughout Herefordshire none of which harmonise with the landscape and many highly visible.

4. Poor use of best and most versatile agricultural land (BMVAL).

The proposed site is made up entirely of Grade 2 agricultural land as defined by Natural England agricultural land classification. It is therefore considered to 'be best and most versatile agricultural land'.

5. Adverse effect on tourism.

For the reasons outlined above, the approval of such large-scale developments will have a profound effect on the intrinsic qualities of the Herefordshire countryside. It is these qualities which form the basis of tourism within the county. The sacrifice of agricultural land to such industrial farming methods will inevitably make the county less attractive as a tourist destination. People don't want to come here to see acres of plastic.

6. The benefits to the local economy are not clear.

One of the claims of the developer is that the proposed development is of benefit to the local economy. It is difficult to understand how this benefits anyone but the developer. The simple fact that the proposal includes accommodation for temporary workers would indicate that the labour is not likely to be for local people. Because it is classed as agricultural development the developer would be exempt from many taxes to which other businesses would be subject and there would be no contribution to any necessary public supporting infrastructure, especially the highway network. No figures are included in the application to support the contention that this scheme would be of any public benefit.

7. Risk to Historic Heritage.

The development site is, according to the developer's own archaeology report, assessed as moderate to high in terms of likely significant archaeological features that may be disturbed by the proposal. In addition, it lies only about 500 metres from Ocle Pychard Conservation area and will affect its setting. Whilst the proximity of the Conservation Area is mentioned in the report there appears to be no appraisal of the impact of the proposed development on its setting.

8. Contrary to the Ocle Pychard emerging NDP, the wishes of the local people and the spirit of the Localism Act.

The developer seems to be very dismissive of the value of a local landscape to local people as illustrated by the following paragraphs of the LVIA:

- 5.4 265 letters of objection** have been received from members of the public, living not only in Herefordshire but other parts of the UK. A number of objectors have made several representations through out the process of the application in response to the amended plans and additional information. However 194 of the representations received were the same letter, the contents of which was as follows:

Level of Visual Effect: These poly tunnels will be a dominant feature from footpaths (including the long distance, historical Three Choirs Way), roads, bridleways and properties, creating an unacceptable impact on residents, tourists, visitors, walkers, riders. The visual amenities of the immediate surroundings - and further afield due to the hilly nature of the landscape - will be severely disrupted by such a discordant feature as plastic sheeting that is completely incongruous within the classic patchwork of fields and hedgerows that is rural Herefordshire.

Historic Environment: The archaeological potential of this site has been assessed as Moderate to High. If this development precedes, the sense of heritage, timelessness and tranquillity will be destroyed.

Microplastics: Current, on going and burgeoning research highlights the damaging effect of the microplastics plastics that are littering our riverbeds and environment: this is an emerging concern worldwide.

Setting a Precedent: Each successful application makes it more likely that the next application will succeed.

Little Benefit to Local Community/ Economic Impact: This development will be a self-contained compound within a rural community, offering few opportunities for employment for local people.

Tourism has a substantial economic impact on the economy of Herefordshire, and visitors may be deterred from visiting, undermining jobs and the economy. There will be additional strain on CPs, dentists and A&E. There is the possibility of a reduction in house prices.

Sustainability: This development is on good. Grade 2/3 agricultural land on a greenfield site: table top production on brownfield locations - thus freeing up productive land - would be more sustainable.

Water Management: Abstraction, run-off, contamination, increased flood risk are key concerns. Highways: Additional pressure on network that cannot safely accommodate addition heavy traffic. Vehicular entrance/exit points increase the risk of collision. Frequent minibus service running along the A465 into Hereford.

Noise Pollution: This tranquil and peaceful environment is highly valued by residents, and will be destroyed by noise from heavy goods traffic, farm vehicles, spraying equipment, general farm and large numbers of employers during work and leisure time. There is also concern about noise from rainfall and wind on plastic sheeting.

Light Pollution: Herefordshire is England's darkest county. Extremal lighting could have an impact on what is an intrinsically a dark sky environment.

Ecology: Covering an area with plastic will have a seriously detrimental effect on wildlife, with the loss of habitat and hunting grounds. Resulting threat to biodiversity. There are Great Crested Newts and bats at at least one nearby location (Lower Castleton).

This development is not part of on going, small-scale, incremental change in farming practice: it is a devastating and incongruous intrusion, and is on such a scale and in such a traditionally rural and beautiful location that it fundamentally changes and harms the character of the land.

Some of the letters added their own comments on the bottom and these along with the contents of the Other letters are summarised as follows:-

Ecology/Biodiversity

- Report Ecological Enhancement /&Resource Protection Policy lack sufficient depth and detail for a project of this size and is based on a desktop study rather than a field survey. – Out of date
- The survey of vascular plants was not carried out at the optimum time of year and some of the early flowering plants may not be evident.
- Reports presented out of date with more readily ones available – i.e. 161874 for Lower Castleton and 173652, both theses reports found Great Crested Newts to be present within 1200m of the site.

- Many protected species not listed in report
- More than one pond within close proximity to the site, either of which have been surveyed or investigated.
- Covering a large area with plastic will have a seriously damaging and detrimental effect on the wildlife, with the loss of habitat and hunting grounds and general threat to biodiversity
- The nesting, breeding and feeding areas which wildlife depend on will be destroyed

Seasonal Workers Accommodation

- 70 mobile homes is larger than some local hamlets in the area and would be refused as a stand alone application
- Herefordshire already has a large number of seasonal workers from outside of the country which puts pressure on local services and facilities.

Highways/Transportation

- Roads, verges, ditches in local area already in a poor state.
- Additional pressure on local highway network with frequent mini bus trips on the A465
- Risk of Collision on entrance and exit points A465 very busy and fast road, the additional traffic pose a highway safety risk.

Landscape/Visual impact

- Visual effect from footpaths in the area where they will be viewed as dominant features (including the long distance, historical Three Choirs Way), as well as bridle paths, properties and roads
- No evidence has been submitted to demonstrate that the proposal would not have a substantial adverse impact on users of the right of way.
- Negative impact on visual amenities of the immediate surroundings and further afield where they will be seen as a discordant feature which is completely incongruous within the classic patchwork of fields and hedgerows.
- Light pollution concerns on the dark sky environment.
- Detrimental effect on the tranquillity of the rural area with a fundamental change and harm to the land intrusion in to the landscape and is inappropriate
- Cumulative impact with other polytunnels developments in the county
- Level of Visual Effect – dominant feature completely incongruous within the landscape
- Sustainability – loss of good grade 2/3 agricultural land
- No consideration given to Riverside Meadows and Principle Timbered Farmlands which have rarity value

Residential amenity/impact on local community

- Little benefits to Local Community/Economic Impact – few opportunities for employment for local people and additional strain on GPs, dentists and A&E
- No local benefit within the rural community, offering few job opportunities for local people and additional strain on local GPs, dentist and A&E
- Noise pollution from heavy goods, farm vehicles and the large numbers of employees
- Concerns over noise from employees during leisure time
- Concerns over noise from rain and wind on plastic sheeting.
- Overlooking of residential gardens from workers on the site
- Polytunnels are within 50m from the gardens of residential properties imposing significant visual and noise impacts which will result in an unattractive place to live.

Impact on heritage/archaeology

- Negative impact on historic environment especially the archaeological interests in the area
- Negative impact on setting of many Grade I listed buildings
- Proximity to the Ocle Pychard conservation area make the landscape valued and harmful to the setting of Heritage assets,.

- Evidence of significant and important landscape and heritage associations dating back to King Offa and the earlier Mercian Kings, highlighting historical importance.
- Historic connections between the application site and the Ocle Pychard Conservation Area not identified.
- Proposal detrimental to the setting and enjoyment of the Ocle Pychard Conservation Area

Drainage/Flooding

- Increased flooding from the plastic sheeting
- Concern regarding increase of run off and flood risk
- Concern that the water usage will deplete local supply
- Concerns that chemicals will enter the natural water course
- Concern regarding increase of run off and flood risk
- Polytunnels are not a normal or recognised farming method

Other

- Risk of plastic becoming insecure in high winds and becoming stuck in trees
- Approval would set a precedent
- Loss of good agricultural land makes the development unsustainable
- Contrary to the neighbourhood development plan
- There is no need to cover the land with plastic as the land is fertile
- Concerned for the tourism sector which will be effected by the introduction of alien features of polytunnels
- No Council tax needed for caravans which will be a heavy burden on local facility and services.
- No photomontages to show the real effect of the proposal
- Negative impact on the welfare of local people
- Harmful to local residents in the area from unwanted pedestrians on highways
- Work already started on the area with caravans already brought onto the site
- Significant local opposition to the proposal therefore any approval would be contrary to the Localism Act of 2011, and such initiatives as Herefordshire own Neighbourhood Development Plan, the Sustainable Communities Strategy and the Core Strategy
- Safe disposal of tunnel covers if they become damaged is not considered
- Economic benefits of the development do not outweigh harm to landscape

Comments received following submission of amended plans and further supporting documents

- None of the supporting letters that have been received or amended plans address the detrimental impacts on the landscape, historic setting of the conservation area and listed buildings, loss of visual amenity
- No explanation of the benefits the development will have on the local area
- The wishes of the community should be listened to in line with the Localism Act of Parliament 2011 and the NDP
- Amended plans do not include external lighting for the seasonal workers accommodation *(NPPF 180) will contribute to the light pollution
- Proposal has had no consideration for local people
- Proposal does not enhance or preserve existing wildlife
- Development should have been EIA development
- Scale of the development is overwhelming and too large for the local area
- Polytunnels will reduce breeding grounds for Bats
- Development is unnecessary and sustainably detrimental
- The landscape and Visual Impact Assessment misrepresents the visual impact
- Ecological assessment underestimated the wildlife and biodiversity in the area.
- No consideration to the number of mini bus journeys required to transport workers around the local area.

- No mention of bicycles and motor vehicles
- Monoculture destroys the health of the soil, due to sterilisation of the soil below and around the table top strawberries, resulting in the removal of the high insect population/diversity.

5.5 An online petition signed by 369 people, from a variety of different postcodes has been submitted. The petition states the following:

‘We urge you to stop the spread of ‘polyblight’ by refusing planning permission for yet another, industrial –scale polytunnel development that will benefit neither the local community nor the environment’.

5.6 17 letters of support have been received for the application. The contents of which are summarized as follows:

- Polytunnel will assist in growing local food for local people and will reduce the need for air miles.
- Managed correctly polytunnel can enhance the local environment and wildlife
- The use of polytunnels as a physical protection to fruit is a worldwide standard practice enabling sustainable production of crops cover an extended period and is vital to be able to operate successfully
- Local community will benefit from the additional employment opportunities
- Councils should be looking to support and encourage local business growth and is much needed
- Objections to tourism and flood risk have been unfounded and unjustified.
- The local highways and surrounding area cater for many HGVs and the increase generated will not be of detriment and is minimal in real terms
- The development represents a sustainable way to a real opportunity to ensure future generation of farmers and employees which can only be achieved through investment and job creation.
- Not allowing the development is denying growth for Herefordshire in these uncertain times
- Uncertainty with current economic climate/Brexit and the development will meet the current challenges by creating new production facilities
- Key employment in local area which supports the vitality of the local economy and other businesses
- Reduction in food miles
- The proposal will make good economic use of the local land
- Structures not permanent and can easily be removed
- The use of physical protection of crops by polytunnel is now a worldwide standard practice enabling the sustainable production of crops over an extended season and is vital to be able to successfully operate
- As a result of this proposed development, the local community will undoubtedly benefit from the additional employment opportunities as will local trades.
- Increase productivity of food
- Scheme offers up landscape and biodiversity enhancement.

5.7 The consultation responses can be viewed on the Council’s website by using the following link:-https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=182191&search=182191

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

<https://www.herefordshire.gov.uk/government-citizens-and-rights/customer-services-enquiries/contact-details?q=customer&type=suggestedpage>

6. Officer’s Appraisal

Further information on the subject of this report is available from Ms Rebecca Jenman on 01432 261961

- 6.1 This application seeks permission for the installation of 11 blocks of polytunnels and associated infrastructure for soft fruit production covering an area of approximately 37.02h on land at Highway Farm/Lodge Farm in Ocle Pychard. The application is on agricultural land and therefore the proposed development does not constitute a change of use. For the avoidance of doubt agriculture is defined in Section 336 of the Act as follows:

“Agriculture includes horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, for the purpose of its use in the farming of land), the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes, and ‘agricultural’ shall be construed accordingly.”

- 6.2 Polytunnels typically consists of galvanised steel hoops covered with transparent polythene sheeting and are used for crop protection from the weather. Polytunnels enable harvesting to continue uninterrupted throughout the season in reasonable working conditions. Since 2007 all new polytunnel development are treated as development requiring planning permission. However, providing the use falls within the definition of agriculture, applications are for the structure and associate infrastructure, not the use of the land.
- 6.3 The only agricultural land loss would relate to the proposed seasonal workers accommodation and attenuation ponds.
- 6.4 It is generally accepted that rural areas are appropriate to accommodate agricultural related developments, although clearly there are many caveats to ensure that environmental quality, landscape character and visual amenity are not adversely affected to an unacceptable degree. In addition the amenity of existing residents in regards to noise and emissions, as well as the impact on the local highway network need to be considered.

Planning Policy

- 6.5 S38 (6) of the Planning and Compulsory Purchase Act 2004 states as follows:

“If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”

- 6.6 The Development Plan for the area comprises the Herefordshire Local Plan - Core Strategy (CS). A range of CS policies, referred to at the beginning of this report, are relevant as is CS paragraph 2.19, which references that agriculture accounts for a greater proportion of employees (8%) within the County when compared regionally and nationally (both 1%). Policy SS1 sets out a presumption in favour of sustainable development, reflective of the positive presumption enshrined in the NPPF. SS1 further confirms that proposals that accord with the policies of the CS (and, where relevant other Development Plan Documents and Neighbourhood Development Plans) will be approved, unless material considerations indicate otherwise. This is the presumption in favour of sustainable development.
- 6.7 At a national level, the National Planning Policy Framework (NPPF) sets out at paragraph 7 that the purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF at paragraph 8 outlines three overarching objectives to achieving sustainable development which are to be considered interdependent and need to be pursued in mutually supportive ways; Economic, Social and Environmental.
- 6.8 Paragraph 80 of the NPPF states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt, with significant weight given to

the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

- 6.9 Paragraph 83 of the NPPF seeks to ensure that planning policies and decisions enable the growth and expansion of all types of business in rural area to support a prosperous rural economy. Whilst Paragraph 84 recognises that to meet the need for business in rural areas sites may need to be found adjacent to or beyond settlements, and in locations that are not well served by public transport. In these circumstances it is important to ensure development is sensitive to its surroundings and does not have an unacceptable impact on local roads.
- 6.10 There are policies within the adopted Development Plan (Herefordshire Local Plan Core Strategy 2011- 2031) that support the continued development of the more traditional employment sectors such as farming and food manufacture (Policy SS5), support the diversification of existing agricultural businesses (Policy RA6) and provision of employment (Policy E1). These are positive policies that support the creation of new developments such as that proposed.
- 6.11 One of the main objectives of the emerging Ocle Pychard Neighbourhood development Plan (OPNDP) is to guide economic and social development by supporting rural diversification and other forms of economic development which are appropriate to their location and setting. The NDP also aims to ensure that the local environment is protected and enhanced by ensuring that new development is in keeping with its surroundings and appropriately designed and accessed.
- 6.12 Policy OPG1: Sustainable development support development proposals for new and diversified employment opportunities in the Ocle Pychard NDP area which are compatible and in scale with the rural nature of the area; and which take all opportunities to protect and enhance the distinctive natural and historic environments, with development avoiding undue loss of visual amenity or impacts on landscape character and biodiversity. Policy OGP7 on the other hand supports proposals that generate employment and to support and diversify the rural economy where they are of a scale, type and nature appropriate to their countryside location and setting. This includes the development and diversification of farm, forestry and other land-based rural businesses.

Principle of development

- 6.13 Polytunnel developments of any scale give rise to multiple material considerations. The overriding consideration when examining the principle of Polytunnels and season workers accommodation is whether this type of development is compliant with local and national policies which seek to balance the need of the rural economy against the impacts on visual and residential amenities. The NPPF at paragraph 83 states that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable development.
- 6.14 The Polytunnels Planning Guidance 2018 replaces and updates the Polytunnels Supplementary Planning Document (SPD) 2008 and prior to that, a previous voluntary code of practice. Its purpose is that it will assist in clarifying which types of polytunnel development will require planning permission and highlight the planning policy issues and requirements such proposals will be expected to address. It expands upon and provides more detailed planning guidance on a number of relevant, but non polytunnel-specific Core Strategy policies. This document provides some invaluable advice, but has not been through a formal public consultation process or sustainability appraisal and therefore cannot constitute a formal Supplementary Planning Document and cannot be attributed weight in the decision making process. It advises that the two key issues which must be balanced are identified as economic benefits/impacts and landscape impacts.

Economic objectives

Polytunnels

- 6.15 Officers recognises that food security is an issue of concern for the UK and the growing of soft fruits, especially strawberries, have become important and successful rural businesses. The success of such businesses can largely be attributed to the use of Polytunnels. Polytunnels enable better yields, greater efficiency and better quality of soft fruit to be produced. They protect developing fruit from rain damage, thereby greatly reducing losses from rot and fungus whilst allowing continual picking at harvest time, unconstrained by the weather. They also extend the growing season.
- 6.16 The demand for fresh fruit has increased in recent years, partly from the national healthy eating campaigns. The expansion of polytunnel development in recent years has resulted in greater volumes of locally produced soft fruits which in itself have resulted in substantial benefits of reducing international transportation of fruit by air and road (food mile reduction). Therefore the economic benefit is not limited to that of the farmer, but also for the wider local and national economy through the associated supply chain, with the consumers demanding a reliable, year round supply of soft fruits.
- 6.17 The NPPF at section 6 seeks to promote strong rural economies through the sustainable growth and expansion of business in rural areas and the development and diversification of agricultural and other land based rural businesses. The Polytunnel Planning Guidance recognises that the CS's overall development strategy was produced in the light of the need to promote a diverse and strengthening rural economy, whilst protecting its quality landscape and making sustainable use of natural resources. Policy SS5 in the CS seeks to encourage and promote the continuing development of the more traditional sectors of farming and food and drink manufacturing.
- 6.18 The proposed Polytunnel development has ultimately been driven by economic factors. Food production and processing businesses are major employers and the UK food and farming sector are worth £108 billion to the economy, representing 3.9 million jobs. The proposed development will expand the applicants existing business and create a significant number of full time permanent jobs (23) as well as the temporary seasonal workforce which at its peak will amount to 330. It will also support the indirect economy in terms of Polytunnel maintenance and supply, local fruit markets, hauliers, packaging suppliers etc. Soft fruit picking and packing is a labour intensive activity and the development proposed under this application will have a positive contribution to the rural economy with regards to jobs, although it is recognised that this is seasonal and is often filled by the seasonal eastern European workforce.
- 6.19 It is acknowledged that the soft fruit industry is labour intensive compared to many other parts of the agricultural sector. The seasonal workers required will make some contribution to the local economy by spending money in local shops and businesses. The applicant has confirmed that the workers staying at Ocle Pychard, if an application is successful, will be taken by mini bus to Hereford for shopping , although they will be encouraged to use the local bus service when they want to for sight seeing or other localised trips.

Seasonal Workers Accommodation

- 6.20 As a result of the soft fruit industry being labour intensive, the development of large scale polytunnel developments such as this one being proposed, will invariably involve seasonal workers accommodation as proposed here. In this case the proposal is to site 72 caravans immediately south of the existing Lodge Farm on land immediately adjacent to the proposed Polytunnel development. The design and access statement and planning statement which accompany the application outline that in peak harvest there will be a total of 330 seasonal workers (maximum) required on site as outlined in the table at paragraph 1.22 above. Although jobs are and will be advertised locally, the applicant envisages that the majority of workers will come from overseas and will need accommodation.

- 6.21 It is accepted above that the seasonal workers are an integral part of the agricultural enterprise and for economic reason the need for the accommodation on site is an advantage. The site is outside of any identified settlement and therefore is considered to be in a location detached from any settlement. The development plan seeks to protect the countryside from development, save for exceptions where the proposal would benefit both economic activity and maintain or enhance the environment.
- 6.22 Policy RA3 of the CS seeks to restrict residential development in rural locations. The policy restricts residential development in the countryside to a limited number of exceptional circumstances, one of which being where it is manifestly required for agricultural workers. Policy OPG2 in the OPNDP deals specifically with development needs and requirements and acknowledges the potential for new residential development in the countryside, outside the defined settlement boundaries where they meets the requirements of policy RA3 and allied policies.
- 6.23 Policy RA4 in the CS is also considered relevant as it deals specifically with agricultural and rural enterprise dwellings. It supports proposal where it can be demonstrated that there is a sustained essential functional need for the dwellings and if forms part of a sustainable business. However, there are no policies in the development plan which specifically or directly relate to the provision of accommodation for seasonal agricultural workers. It is accepted that there are special circumstances that the applicant faces in sourcing and accommodating the number of seasonal workers required to sustain an established and economically productive agricultural business.
- 6.24 In practical terms the workforce needs to be located close to the area farmed (as per the functional requirement of policy RA4), and furthermore any such location should be within reasonable distance of the infrastructure and facilities offered by a village or town in the interests of achieving sustainability. Therefore it represents a highly sustainable location having regard to balancing the need for workers to be housed close to their point of employment.
- 6.25 The need for the caravans to stay permanently on site is because of the length of the harvest season and the type of fruit to be grown. There is also a need for some workers to be accommodated to carry out other farm duties in addition to picking the strawberries. The period which the caravans would not be occupied would be so short as to make their removal from site impractical and would lead to a considerable cost for perhaps little gain i.e. the potential visual impact would be gone, but only fleeting (for a short period) and there may also be additional disturbance / traffic implications associated with removal / storage etc. The visual impact is discussed in more detail below.
- 6.26 Policy RA6 of the Local Plan recognises that rural areas have consistently played a strong role in local, regional and national food and drink production, particularly in areas such as agriculture and farming. The policy offers support for planning applications which are submitted in order to diversify the rural economy providing that the development is of a scale which would be commensurate with its location and setting and which would not cause unacceptable adverse impacts to the amenity of nearby residents by virtue of design and mass, noise and lighting.
- 6.27 The scheme would have benefits for the local economy, for UK food production and for sustainable food distribution. The scheme would reinforce spending in the local economy through orders to suppliers and through employee's expenditure. Given the scale of the polytunnel development and the type of fruit to be grown, it is considered that the establishment of dedicated and centralised seasonal workers accommodation on the site is necessary for the success of the agriculture being proposed and would comply with policy RA3 and RA4 of the CS and policy OPG2 of the OPNDP. Restrictive conditions controlling the number of caravans, the number of occupants and the removal of the caravans are recommended to ensure compliance with the policies discussed above.

Conclusion for economic objectives

- 6.28 The general agricultural economic justification for both the polytunnels and the provision of the seasonal workers accommodation is considered accepted in principle. Officers recognise that the benefits of polytunnels in enabling the production of increased quantities and qualities of soft fruit, the sustainability of reducing food miles and the positive contribution to the rural economy, however these now need to be balanced against the topic based material planning considerations, the main one of which is considered to be Landscape and Visual Impact.

Environmental Objectives

Landscape and visual impact

- 6.29 The effect of the scheme on the character and appearance of the landscape is considered to be the main issue and area of concerns with the majority of representations received. Paragraph 4.15 of the Polytunnel Planning Guide recognises that 'in Herefordshire where the high quality of the landscape is part of the intrinsic character of the area, the visual impact of polytunnels is often the most significant negative planning issue in connection with this type of development.
- 6.30 Herefordshire has a distinctive and varied landscape, much of which is rural in nature, however it is varied in character. Paragraph 5.3.7 of the CS recognises the importance of the landscape, not just as scenery but because it links culture with nature, and the past with the present. The Polytunnel guidance acknowledges this in more detail.
- 6.31 The NPPF in section 15 emphasises the importance planning policies and decision have in contributing and enhancing the natural and local environment. This is achieved by protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils. It can also be achieved by recognising the intrinsic character and beauty of the countryside.
- 6.33 Policy LD1 in the CS requires all development proposals to demonstrate that the character of the landscape and townscape has positively influenced the design, scale, nature and site selection. It also requires proposals to conserve and enhance the natural, historic and scenic beauty of important landscape and features and incorporate new landscaping schemes and their management to ensure developments integrates appropriately into its surroundings.
- 6.33 Policy OPG11 in the OPNDP deals specifically with the natural environment and requires all new proposals to demonstrate that they protect, conserve and enhance the natural environment in accordance with the principles in Local Plan Core Strategy policies LD1, LD2 and LD3. This includes the following, as is relevant to the proposal the protection and recovery of European and nationally protected species; and ensuring that proposals respect the prevailing landscape character, as defined in the County Landscape Character Assessment, including associated views, trees and hedgerows and local features of interest
- 6.34 The proposed polytunnels, seasonal workers accommodation and attenuation pond are all contained within existing fields, as is shown on the block plan above. The 19.71ha of year-round polytunnels are all to be located on the lower slopes within the site, with the 17.31ha of seasonal coverage on the upper slopes. The land occupies the north-western side of a small valley and the land slopes gently in a north-west/south east direction towards a small unnamed watercourse that runs along the valley bottom. The A465 acts as a local ridgeline with the land falling gently down in a southerly direction to the water course, then rising again in a easterly and southerly direction towards Ocle Pychard Church and Westhide.
- 6.35 The site is not located within a landscape with any national designation and is largely characterised as 'Principle Settled Farmlands' in the Council's Landscape Character Assessment. These are areas that are often found in the rolling, lowland area of Central

Herefordshire and which are described as being resilient to change. These are settled agricultural landscapes of dispersed, scattered farms, relic commons and small villages and hamlets. Networks of small winding lanes nestling within a matrix of hedged fields are characteristic. Tree cover is largely restricted to thinly scattered hedgerow trees, groups of trees around dwellings and trees along stream sides and other watercourses. Hop fields, orchards, grazed pastures and arable fields, together make up the rich patchwork which is typical of Principal Settled Farmlands. It is also recognised that the site is in close proximity to Principal Timbered Farmlands to the south.

- 6.36 The application is accompanied by a Landscape and Visual Assessment which assesses the impact on landscape and visual amenity. The assessment is based on a site visit from the consultant and takes account of the 'Guidelines for Landscape and Visual Impact Assessment: Third Edition 2013'. The assessment considers the visual amenity value, visual receptors susceptibility, scale of effect, geographical extent duration and reversibility of the development on a number of public vantage points including highways, footpaths, bridle path and residential properties.
- 6.37 The Landscape Officer has fully considered the Landscape and Visual Impact Assessment submitted and has made several visits to the site and surrounding area, accompanied by the case officer, to assess the impact of the landscape character and visual amenity. Whilst Officers disagree with the LVIA in that this landscape has undergone considerable change thereby implying a reduction in its quality, they do in essence draw the same conclusion that the overall sensitivity impact on this undesignated landscape is medium. Officers agree with the assessment in that the structure of the landscape is still reasonably intact with the strength of the rural character retained.
- 6.38 The proposed polytunnel development with all the associated infrastructure and seasonal workers accommodaion is considered to be of a significant size and scale for its location. However, the site itself due to its topography and exisiting vegetation, is considered to be contained visually. This is further assisted by the local ridgeline that follows the line of the A465. From a number of site visits made it is clear that views from the A465 will be limited as the land falls away to the south with the only views afforded from occasional views from the breaks in roadside hedges. However, footpaths to the south on the opposite side of the valley do allow for views into the site. This includes the Three Choirs Way, and the bridlepath and Footpath which run directly through the site.

Landscape Impact of Polytunnels

- 6.39 Paragraph 8.3.2 of the Landscape and Visual Impact Assessment states the following:
- 'Polytunnels do have very different characteristics to other types of structure. Whilst the support hoops would be permanent, they can easily be removed should the land be required for alternative agricultural uses at some point in the future. Their effect is therefore reversible. The same applies to the seasonal workers accommodation where static (but moveable) caravans would be utilised.'*
- 6.40 The Polytunnels are divided up into the seasonal polytunnels to the north of the site and the all year round in the fields to the south. The application doesn't require any existing trees or hedgerows to be removed from the site with all the development contained within the existing field pattern. The Tree Officer considers that the proposals are acceptable, however to safeguard both the visual amenity and to ensure compliance with policy LD1 of the CS a condition is recommended that to ensure that no existing trees or hedgerows are removed or destroyed on the site. New apple orchards have also been planted to the north of the site along the A465. These will, in time, provide a buffer with neighbouring residential properties.

- 6.41 During the application, the layout of the Polytunnels and landscaping proposals have been amended following discussions with the Councils Landscape Officer and Planning Ecologists. This includes the reduction of Polytunnels in the field directly adjacent to the seasonal workers accommodation.
- 6.42 There is a strong tree cover along the watercourse and tree and hedgerows in the wider landscape which will assist in providing screening to the year round tunnels in the bottom fields. These lower slopes are considered to be well contained, whilst the upper slopes where the seasonal tunnels are to be located are evident from the Three Choirs footpath on the opposite side of the valley and footpaths in the local area. However, these views will be broken up by the intervening vegetation that exists. The impact on visual amenity and landscape character is not considered to be severe. It is noted that there are other similar Polytunnels developments further along the footpaths to the west, although at no point are another Polytunnel development seen in conjunction with that proposed. Mitigation is proposed in the form of reinforcement of the existing hedges and their management, which is welcomed and is considered to reduce the impact. A condition is recommended to ensure compliance with policy LD1 of the CS and that the landscaping scheme is maintained and implemented as approved.
- 6.43 It is acknowledged that the proposed mitigation will not fully screen the Polytunnel development. The bridle path and footpaths that run through and adjacent to the site are where the impact will be most severe with the impact on footpaths to the south considered to be moderate. Views from the surrounding highways will be limited due to the high dense mature hedges which exist on field boundaries. High hedges are a typical feature of Herefordshire, especially in this area.
- 6.44 The applicant engaged in pre-application advice with the Council and the proposed scheme follows the advice given reducing the coverage of tunnels from what was originally suggested. The fields along the A465 and on the eastern boundary have been planted with apple trees. These fields were not only considered to be on higher ground therefore visually more prominent, but cumulatively would have made the visual impact too great. The seasonal fields which have been positioned across the middle section of land where in winter months when there is less vegetation on the hedgerows and trees would visually be prominent from the footpaths and public vantage points to the south. However the impact of those proposed under this application is considered to be localised and the extent of their impact will not detract from the overall landscape character and visual amenity. Overall it is considered that the proposed scale of Polytunnel development is acceptable and appropriate for the location.
- 6.45 It is accepted that Polytunnels can, even when the plastic is removed, represent an unnatural feature within the rural landscape. However, Polytunnels have become an established feature within the Herefordshire landscape following changes in agricultural practices. A representation received on behalf of the Ocle Pychard residents raises the matter of some appeal decisions within Herefordshire and neighbouring counties and how the matters have been considered by inspectors. Whilst these are noted, and whilst there may be some similarities about the nature of the development, each application must be considered on its merits having regard to its locality, context and constraints as well as the requirements of the development plan and any other material considerations.

Seasonal Workers Accommodation

- 6.46 The seasonal workers accommodation is to be contained within a field directly south of Lodge Farm. The site has been chosen due to the existing buildings at Lodge Farm lending themselves for the conversion and use as amenity buildings. The adjoining field is also capable of accommodating the required number of caravans, with direct access from Monkton Farm Lane through Lodge Farm. The caravans will meet the definition of caravans as set out in section 29 (1) of the Caravan Sites and Control of Development Act 1960:

“... Any structure designed or adapted for human habitation which is capable of being moved from one place to another (whether being towed, or by being transported on a motor vehicle or trailer) and any motor vehicle so designed or adapted”

- 6.47 Amendment of the definition of caravan in 2006 stipulates that the length shall not exceed 20m or width 6.8m. The overall height (measured internally from the floor at the lowest level to the ceiling at the highest level) 3.05m (10ft).
- 6.48 The application includes utilising the existing building at Lodge Farm to provide a meeting room, office, games room, laundry and gym for the workers to use. The majority of the building at Lodge Farm however will remain for continued agricultural storage, therefore requiring minimal alterations to existing buildings.
- 6.49 The applicant has amended the proposed landscaping during the application process to incorporate more substantial planting along the southern boundary of the field to assist in screening the caravans from view within the landscape and from the neighbours at Monkton Farm. The landscape officer has confirmed they have no objection to the latest plans and that they are satisfied the harm to the overall landscape character will be minimal. The caravans will be seen from a number of public vantage points to the south, mainly footpaths, and the scattering of dwellings; however they will be seen in conjunction and as an integral part of the overall Polytunnel soft fruit enterprise.

Public Rights of Way

- 6.50 The Polytunnel Planning Guidance offers useful advice about the impacts of tunnels on Public Rights of Way. Planning guidance 16 advises that there shall be no Polytunnels erected within 2 metres of the centre line of a public right of way or within 3 metres of the centre line of the bridleway. These guidelines are reiterated by the Councils PROW Officer in their consultation response. Polytunnels can have a significant impact of public rights of way with regards to the use and enjoyment... where distant views over polytunnels are available from PROWs, consideration needs to be given to impacts on both local tourism economy and on those who choose to live and work in Herefordshire. The application submission demonstrates achievement of these standards and a condition is suggested to ensure that these are adhered to.
- 6.51 The scale and visual effect from the Bridleway OP8 and footpaths OP10, OP12, PO6A and along the Three Choirs Way this lies to the south on the opposite side of the valley, have all been considered within the LVIA and by Officers on site. It is also noted that local residents have raised particular concern about the impact upon the bridleways, citing appeals on similar issues. The application sought to address this at the outset by ensuring that the buffers either side of the tunnels were included. The scale of visual effect along the bridleway is considered to be high, although an open corridor and adequate spacing have been provided in accordance with guidance. The Councils PROW Officer has raised no objection to the proposal and is satisfied that the plans demonstrate that acceptable distance are incorporated to ensure both PROW and Bridge path will not be obstructed. The representation received on behalf of the Ocle Pychard residents raises further appeals decision within Herefordshire and surrounding Counties on the adverse impact of Polytunnels on PROWs. Whilst acknowledging that there will be some visual harm, to varying degrees, this harm must be considered in the planning balance in the decision making, and overall the harm is not considered to be substantial. Simply being able to see a polytunnel from a particular view point is not considered sufficient reason to find the visual impact unacceptable. Consideration has been given to the magnitude of the impact, and overall given the context and existing vegetation which breaks up the views, the impact is not considered to be severe.
- 6.52 The main residential property that will be affected visually from the seasonal workers dwellings is Monkton Farm. This property will have a direct view of the proposed seasonal workers

accommodation until the additional planting has been established. The scale of this visual effect will be reduced once the proposed planting has established. It is an established planning principle that there is no right to a view, however it is clear that the residents of Monkton Farm, will have views into and across the area from the front of their property and this impact, until landscaping has matured would be of moderate impact. The representation received on behalf of the Ocle Pychard residents highlights the concern that the scale of the development and its visual impact will be 'huge and overbearing' and would become an unattractive place to live. The proposed seasonal workers accommodation is a distance of 90m away from Monkton Farm. It is acknowledged that this is in excess of the 50 metres distance stated in the Polytunnels Planning Guidance that is necessary to ensure that the amenities of those living nearby are not detrimentally affected by noise and adverse visual impacts.

Conclusion on landscape impacts

- 6.53 The Landscape Officer has given full consideration to the magnitude of the impacts of the whole of the development. The main impact would arise from the introduction of the polytunnel coverage themselves, however polytunnels and caravans are temporary in nature and can be removed from site without resulting in the loss of elements within the landscape, as Case Officer for the application I would agree with the Landscape Officer and conclude that the impact is not significant. Consideration has been given to the visual intrusion on existing residents, and whilst there is acknowledged to be degree of harm, the result would not to a degree whereby the properties would be regarded as 'unattractive and unsatisfactorily places to live', as suggested in the representation submitted on behalf of the Ocle Pychard residents. The proposed site does benefit from both a varied topography and extensive vegetative cover in particular along the watercourse. The orchard planting, some of which is already in place, will mitigate these views further once fully established and with planting within the framework of the site these identified effects could be mitigated further.
- 6.54 The Landscape Officer has outlined that the mitigation measures proposed in the LVIA are sufficient to offset any adverse impacts on landscape character and visual effects, with regards to both the Polytunnels and seasonal workers accommodation. There has been a considerable amount of local representations made with regards to landscape impact and all have been fully considered during officers assessments. However, whilst the development will be visible from the PROW's and a number of residential properties, enhancement and reinforcement of existing landscaping will mature over time and reduce the impact. Overall, officers would conclude, having regard to the above advice received and assessment above, that the proposals, with the appropriate mitigation secured by the conditions suggested, would comply with the requirements of policy LD1 and LD3 of the Herefordshire local Plan – Core Strategy, Policy OPG11 of the Ocle Pychard NDP and with the guidance contained within the NPPF.

Surface water run off, flood risk and drainage

- 6.55 The impact of the proposal upon surface water run-off rates and the implication for localised flooding is a material planning considerations which many of the representations have raised. The application has been supported by a Flood Risk Assessment and Surface Water Management Plan for the polytunnels and the associated proposed development. The application site is located within flood zone 1 and therefore has a low risk of flooding and the sequential and exception tests required by policy SD3 of the CS and chapter 14 of the NPPF are not required.
- 6.56 Policy SD3 in the Core Strategy requires measures for sustainable water management to be an integral element of new development in order to reduce flood risk; to avoid an adverse impact on water quality; to protect and enhance groundwater resources and to provide opportunities to enhance biodiversity, health and recreation.

- 6.57 It is recognised that water availability is fundamental to the success of soft fruit businesses and therefore it is common for rainfall to be captured and recycled to ensure sufficient water is available for irrigation throughout the growing season. The proposal is to install two attenuation ponds and the strategic use of French drains to discharge water collected to wetland area to mitigate flood risk to 1 in 100 year event with 70% climate change allowance. Permission has already been granted under application P180712 for a water reservoir on land south of Monkton Farm. Water pumps will be installed in the proposed attenuation ponds to transfer runoff water to the reservoir for irrigation. The applicants have confirmed that the reservoir and attenuation ponds will be constructed prior to any Polytunnel covers being installed and a condition is recommended to this effect.
- 6.58 Policy SD4 of the Core Strategy provides guidance on wastewater treatment and river quality. The policy requires that assessments are made to demonstrate that development will not undermine the achievement of water quality targets within the county, in particular the treatment of waste water. Developments should seek to incorporate measures to achieve water efficiency. Herefordshire SuDS Handbook also provides clarity on the treatment that is required and recognises that there is considerable pressure of farmers to capture and store surplus water for future use, thereby reducing the need to abstract water from other sources, whilst enhancing biodiversity.
- 6.59 The applicant has confirmed that the treated foul drainage from the seasonal workers accommodation is proposed to be used to irrigate the apple trees, by pumping the treated effluent into the existing 17.1m diameter tanks at Lodge Farm and then using a trickle irrigation system to irrigate the trees. The EA have been consulted on this aspect and confirmed that a bespoke permit would be required and that the soakaways would need to be designed in such a way that it was discharging continually to the ground.
- 6.60 During the application process, as a result of comments made by the Councils Land Drainage Engineer, the applicant has provided a revised FRA and further information and clarification of the overall surface water runoff. The Councils Drainage Consultant is of the opinion that the Applicant has submitted sufficient information regarding flood risk and drainage aspects for planning permission to be granted.
- 6.61 The Councils Land Drainage Engineer has recommended conditions be imposed that seek to ensure the submission of detailed drawings of proposed surface water attenuation features, wetlands and outfall structures prior to the commencement of development. This approach is considered to be acceptable and along with other information highlighted in their report, will be subject to conditions to ensure that maintenance of this approach is undertaken. It is considered that, subject to the submission of satisfactory detailed drainage drawings, the proposal would not lead to an increase in flooding on adjoining land and can protect the availability and quality of water resources and groundwater. The application has demonstrated that the scheme is capable of delivering sustainable water management throughout which will protect and enhance groundwater resources. The Drainage Consultant has concluded that the scheme is, having regard to SD3 and SD4 of the CS and NPPF section 14 principally, are acceptable and capable of being approved subject to conditions. Informative are recommended below to highlight the comments of the Lugg Drainage Board and the requirements of the Board's Bye Laws and S15 of the Land Drainage Act 1991.

Impact on Ecology/Biodiversity.

- 6.62 In accordance with CS policy LD2 – Biodiversity and geodiversity and section 15 of the NPPF the application has been supported with an Ecological & Resources Protection Assessment and Ecological Enhancement & Management Strategy for the project which include mitigation techniques. The CS objectives relating to environmental quality are to be delivered through supporting development proposals that add to Herefordshire biodiversity.

- 6.63 Policy LD2 of the CS requires development proposals to conserve restore and enhance the biodiversity and geodiversity assets of Herefordshire through ensuring new development does not reduce the coherence and effectiveness of the ecological networks of sites and through the restoration and enhancement of existing biodiversity and geodiversity features on site and connectivity to wider ecological network. The policy also seeks to support the creation of new biodiversity features and wildlife habitats where possible.
- 6.64 The reports identify that the land at Ocle Pychard comprises mainly long established habitats including species-rich native hedgerows together with several mature infield oak trees. The site comprises mainly improved pasture land grazed by cattle and sheep together with three arable fields that contained a crop of forage maize at the time of the survey. It is noted that the most of the hedgerows are managed and trimmed to a height of between 1.5 and 5m.
- 6.65 There are no statutory protected sites within the survey area. The Withington Marsh Brook eventually flows into the River Wye via the Little Lugg and River Lugg, approximately 16 km to the south west of the land.
- 6.66 The reports take account of national and local policies which relate to the protection and enhancement of biodiversity and green infrastructure. The reports assess the potential impact of the development on the soil and water, habitats and wildlife corridors.
- 6.67 Two UK BAP priority habitats were recorded on site namely; hedgerows and a stream. The proposal does not propose any removal of hedgerow or biodiversity features. To improve visibility at the entrance to Highways Farm it is proposed to realign a length of roadside hedgerow extending to approximately 100m, which will involve the removal of a section of species-poor hedgerow. A species-rich native hedgerow will be planted along the new boundary line. Elsewhere it is proposed to retain other existing boundary hedgerows and trees within the development site, except for the removal of small sections of hedgerows (<5m lengths) to allow the construction of the access track through the site.
- 6.68 Results from an extended phase 1 habitat survey are presented within the Ecological and Resource Protection Assessment and identify species within the vicinity from the record search and desktop study. The Council's Planning Ecologist has agreed with the findings of the reports in that the proposed development will not have an adverse impact on protected species and that no BAP habitats will be lost on the site except for the section of hedgerow at the entrance, however there is proposed landscaping through reinforcement and additional hedgerow planting which will outweigh this small loss.
- 6.69 Representations raised the issue of the presence of badgers in the locality. Legislation seeks to protect Badgers from harm and is therefore different to the way in which other species are protected in legislation. Officers have taken steps to aid protection by not disclosing the size and location of any potential setts into the public domain such as the website, as this provides information to persons that may wish or seek to cause them harm. This is best practice. Nonetheless, officers have fully considered the matter, and the applicant has also taken steps to address the issue. Officers have also raised the issue with Natural England, no objections are raised and an informative is suggested.

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- 6.70 The ecological enhancement through the proposed landscaping is outlined in the LVIA and design and access statement. The Council's Ecologist has examined the submitted documents and raised no objection subject to a condition relating to a habitat protection and enhancement scheme which can be conditioned. I consider there is no conflict with policy LD2 of the CS and am satisfied that there has been detailed consideration to the natural environment to allow the scheme to be delivered in compliance with policies LD2 and LD3 of the CS.

Impact on Heritage Assets

- 6.71 The application is supported with a Heritage Impact Statement that identifies the designated and non designated heritage assets within a wider study area. The application site does not lie within a Conservation Area but representation has been made about the impacts upon its setting. There are also a number of Listed Buildings within the vicinity including the Church of St James the Great, Remenham House and Ocle Court
- 6.72 Under Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the local planning authority is required, when considering development which affects a listed building or its setting:
- “to have special regard for the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”
- 6.73 It follows that the duties in section 66 do not allow a local planning authority to treat the desirability of preserving the setting of listed buildings merely as material considerations to which it can simply attach such weight as it sees fit. When an authority finds that a proposed development would harm the setting of a listed building, it must give that harm “considerable importance and weight”.
- 6.74 Importantly, this does not mean that an authority’s assessment of likely harm of proposed development to the setting of a listed building or to a conservation area is other than a matter for its own planning judgement. Nor does it mean that an the authority should give equal weight to harm that it considers would be limited or “less than substantial” and to harm that it considers would be “substantial”.
- 6.75 While Policy LD4 of the Core Strategy does require heritage assets to be protected, conserved and enhanced, and requires the scope of the work to ensure this to be proportionate to their significance, it does not include a mechanism for assessing how harm should be factored into the planning balance. As a result, and in order to properly consider the effects of development on heritage assets, recourse should be had to the NPPF in the first instance
- 6.76 Paragraphs 193 - 196 of the NPPF (2018) deal with the approach to decision-making according to the significance of the heritage asset and the degree of harm arising as a consequence of development. Paragraph 193 confirms that great weight should be given to the conservation of designated heritage assets. Paragraph 195 is a restrictive policy and directs refusal where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset. This is unless such harm or loss is necessary to achieve substantial public benefits that outweigh the harm or loss or where all 4 stated exceptions criteria apply.
- 6.77 Paragraph 196 explains the approach to decision-making where less than substantial harm to the significance of a designated heritage asset would arise. It states that such harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. 196 is thus also a restrictive policy.
- 6.78 Accordingly it is necessary for the decision-maker to judge, on the evidence before them and having particular regard to expert heritage advice, whether the proposal in this case represents substantial harm to or total loss of significance of the setting to any of the listed buildings within the local area, especially that of St James Church, or whether the harm falls within the purview of paragraph 196.
- 6.79 The HBO has confirmed that the heritage statement meets the requirements of para 189 of the NPPF as it has describe the significance of the heritage assets and the contribution made by setting.
- 6.80 The setting of a Conservation Area has been fully considered and Officers do not feel that the setting of the Conservation Area would be affected in such a way that less than substantial

harm would occur. In terms of the setting of the Church, it is not felt that those aspects of its setting which contribute to its significance would be harmed by the proposals. It is not strongly visible within the Landscape from the North, and only glimpsed views would be possible from the Church. In conclusion officers are therefore satisfied that in the absence of any harm to the significance of any of the heritage assets or Conservation Areas the proposal is compliant with CS Policy LD4 and the NPPF. It is noted further that Historic England record no objection to together with the Councils Historic Buildings Officer.

Archaeology – buried heritage assets

- 6.81 The application has been supported by an archaeological and built heritage advice document on the programme of Archaeological Field Evaluation carried out in preparation of a full technical report which will be prepared on approval of the application. Policy LD4 in the CS recognises that the historic environment is of cultural value and where proposals effect the wider historic environment proposals should record the understanding of the significance and assess its value. Representations raise concerns about the matter.
- 6.82 The results have confirmed the presence of archaeological features, however only limited evidence of prehistoric activity has been recorded to date on the Herefordshire HER within the vicinity. The Councils Planning Archaeologist has confirmed that the archaeological interest and sensitivity of the site have been considered and identified through the defined field evaluation and confirmed that there is actually low potential for any finds of significance. The evaluation and other evidence indicates extensive loss through agricultural disturbance over the last decade or so, to the extent that little remains of the medieval 'settlement' features hitherto recorded within the western parts of the wider site.
- 6.83 Having regard to the evidential value found, and the circumstances of the case, the Archaeologist regards the finds as being of local to regional importance. Whilst no objections are raised to the scheme as a whole, it is considered necessary to achieve mitigation via archaeological recording prior to any development. The agent has confirmed that a full archaeological excavation will be carried out as required and this will be secured through a condition. Such an excavation would accord with Core Strategy Policy LD4, and with Para 199 of the NPPF.

Impact upon local Highway network

- 6.84 Traffic generation arising from the proposed polytunnels in connection with the construction, servicing, labour and produce movements also forms a key issue that needs considering. Policy MT1 of the CS requires all new development to demonstrate that the strategic and local highway network can absorb the traffic impacts of the development without adversely affecting the safe and efficient flow of traffic on the network.
- 6.85 It is recognised that the site has as existing established agricultural access off the A465 into Highway Farm where all deliveries and collections in connection with the polytunnels development will use. This was a key consideration when the applicant was purchasing the site and considering the proposed development. Site meetings and discussion with the Councils Highways Engineer took place at the pre-application stage and advice was followed with regards to utilising the existing farm access and the carrying out of speed surveys at locations along the A465. As a result of the information obtained visibility splays are provided that equate to 160m in each direction, which are compliant with standards DMRB (Design Manual for Roads and Bridges). This will require a small section of hedgerow to the west to be translocated.
- 6.86 When considering the highways impact of the development the starting point is the consideration to the existing lawful use across the site and the traffic generation. Lodge Farm was a working dairy farm with feed Lorries and milk lorries on a regular basis, along with the

tractor and trailer movements with manure and silage. Highways Farm has also historically been farmed with livestock.

- 6.87 Highway Farm allows direct access into all the fields at Lodge Farm. All produce from the polytunnels have direct access through fields into the cold store and dispatched building. Harvested fruit will be moved by articulated lorries from Highway Farm to Wye Fruit packhouse at Ledbury, with a maximum of 2 lorries per day, in peak season.
- 6.88 The proposed seasonal workers accommodation is located at Lodge Farm and once the site is in full operation, the development will accommodate a maximum of 330 workers which will arrive and leave via a mini bus service. Mini buses will also be used to transport workers in to and out of Hereford for shopping on their days off, however there is also local bus services which travel through Ocle Pychard which workers would be able to use.
- 6.89 A number of the representations submitted have raised concerns with regards to traffic generation, however on the information that has been submitted the traffic generation is not considered to impact significantly upon the highway. No material change to parking and manoeuvring is required at Highways Farm and the application has demonstrated that acceptable visibility splays can be supplied.
- 6.90 It is accepted that the proposed additional tunnels will generate an increase in vehicle movements to and from the site above those that have been generated in recent years. However access is directly from the A road and can provide acceptable visibility in line with current standards. I consider that the volume of traffic that the proposal will generate can be accommodated upon the local highways network safety and overall subject to the inclusion of appropriate conditions, the scheme complies with CS Policy MT1.

Impact upon the Residential Amenity

- 6.91 Policy SD1 in the CS deals specifically with sustainable design and energy efficient and requires proposals to make efficient use of the land. The policy also requires safeguarding the residential amenity of existing and proposed residents and ensure new development does not contribute to, or suffer from, adverse impacts arising from noise.
- 6.92 The main impact on the amenity on existing residential properties in the area will be from the presence of seasonal worker is in the area, and in particular from the noise and nuisance generated from their presences. There are a number of residential properties around the perimeter of the site, however those of particular concern are those located at the bottom of Monkton Lane which will have to travel past Lodge Farm where the seasonal workers accommodation will be located to access their properties. Monkton Farm in particular is the closest at a distance of around 90m and will have a direct view of the site until landscaping mitigation has established.
- 6.93 It is acknowledged that the potential for Ocle Pychard's population to be swelled by up to 330 people has given rise to grounds for concern as evidenced by the letters of representation, especially with regards to noise and disturbance arising from the general occupation of the accommodation, and more particularly when the workforce are relaxing in the evening. It is important to note that whereas occupants of a dwelling are normally answerable for their behaviour to no one save themselves (within the confines of civil and criminal law) in this case all the occupants of the proposed accommodation are subject to the management and control of their employer. Consequently it is considered that the impact in terms of noise or other disturbance can be appropriately controlled through a 'Site Management Plan' and an appropriate condition is duly recommended to secure the submission of such a plan for approval of the local planning authority.

- 6.94 The applicant has submitted a noise management plan for the site which confirms that deliveries to the site will be between 8am and 6pm weekdays and confirms that workers will not be allowed any cars on site. The plan also outlines restrictions on music, fireworks, smoking and a complaints procedures.
- 6.95 The applicant has also submitted a traffic management statement at the request of the Environmental Health Officer due to concerns raised at Highway Farm with regards to frequency and timings of movements. The statement confirms that fruit picking will commence at dawn with tractors and trailers starting to arrive from the internal tracks within the site at around 7am to deliver the fruit to the coldstore. Picking will finish around 4pm collections of the fruit, to which there will be no more than 2 HGVs a day, will be between the hours 9am and 6pm.
- 6.96 The Environmental Health officer has confirmed the further information supplied is acceptable and that from a noise and nuisance perspective no objection is raised. However this is subject to conditions controlling the management of the caravan site as outlined in the noise management plan. The Officer has highlighted the importance of securing the proposed additional planting along the southern boundary of the season worked accommodation to assist in militating against the impact of potential noise from the seasonal workers accommodation on Monkton House.
- 6.97 It is considered that subject to appropriate conditions relating to the management of the site and control on noise and operation, the proposal would have a relatively low impact on the amenity of nearby dwellings, and is capable of being compliant with policy SD1 of the CS.

Planning Balance

- 6.98 The starting point for the determination of this application is the development plan and emerging OPNDP. For the reasons outlined above the proposal would accord with policies RA6 and SS5 of the Core Strategy and Policy OPG1 and OPG7 of OPNDP which support employment proposals in rural areas and the continuing development and diversification of the more traditional employment sectors such as farming and food, subject to satisfactorily environmental protection and mitigation. The proposal would support and provide employment in the agricultural sector, adding value to the local food chain and reducing the amount of overseas imports that come into this country.
- 6.99 The NPPF gives strong support to sustainable economic growth to support a prosperous rural economy and although objectors have questioned the value of providing jobs that are taken by workers from outside the UK, jobs would be open to local people, as well as those further a field.
- 6.100 This application for polytunnels is driven by the challenge faced by farmers to increase productivity and achieve maximum output whilst adapting to the changing climate. The success of the soft fruit growing industry in Herefordshire in recent years can largely be attributed to the use of Polytunnels. In the case of the proposal put forward, the development is considered to be of a moderate size that would introduce polytunnels onto a site where they have not previously been present. Ocle Prychard is a rural parish which has a living and working landscape, largely created through human intervention, where agriculture has taken place for many years and the landscape character has largely resulted through the cultivation of the farmlands. The topography an landscape profile and form would not be altered by the proposed development, rather, view across it would change. As outlined above these changes are not considered to represent substantial harm to the landscape character and visual amenity, and mitigation secured through conditions will assist in reducing the impacts. Although there will be some harm to the landscape character and visual amenity, there are strong economic reasons for allowing the development.

- 6.101 In accordance with policies RA3 and RA4 of the CS the seasonal workers accommodation is considered to be justified in this location as it is necessary to deliver the proposed rural enterprise and has been sited to meet the functional need of the enterprise. Conditions can ensure that should the polytunnel development cease to operate on the site then the caravans would be removed returning the land to its agriculture use.

Conclusion

- 6.102 Overall officers are content that the development is sustainable development. Across the three dimensions I consider there are positive benefits within the economic dimension and neutral impacts in relation to the social and environmental dimensions. Harm to landscape character is axiomatic, yet capable of mitigation to such an extent that objection is unsustainable.
- 6.103 Impacts arising from additional traffic movements do not amount to any contradiction of MT1 and do not amount to residual cumulative impacts that are severe enough to warrant refusal. Impacts on water resources and quality and flood risk have been fully assessed and officers have concluded that subject to conditions requiring approval of further details the proposal is unlikely to have a demonstrable effect on water quality in the area.
- 6.104 Consideration has been given to the impact on the amenity of existing residential properties that are in close proximity to the site in relation to noise and nuisance and subject to conditions to control the operation and management of the workers accommodation, the development is considered to have a minimal impact on the amenity of neighbouring residents which will be reduced by the proposed landscaping when established.
- 6.105 Full consideration has been given to the impacts on heritage, archaeological and biodiversity impacts. Conditions addressing ecological management are necessary in the interest of wildlife.
- 6.106 The proposal will have benefits in terms of its economic benefits, strengthening local agriculture and food production, and there are no other matters of such weight to warrant the refusal of the application in their own right and it is therefore concluded that the benefits that would be derived from permitting the proposed development outweigh any limited harms that might be caused. The development represents a sustainable form of development and is considered to be acceptable subject to the inclusion of the recommended conditions listed below. Officers are satisfied that the proposed development complies with the relevant policies within the Core Strategy and the application is therefore recommended for approval.

RECOMMENDATION

That planning permission be granted subject to the following conditions and any further conditions considered necessary by officers named in the scheme of delegation to officers:

- 1. A01 Time limit for commencement (full permission)**
- 2. B01 Development in accordance with approved plans**
Pre-Commencement Conditions
- 3. G11 Landscaping scheme – implementation**
- 4. G14 Landscape management plan**
- 5. The recommendations for species and habitat enhancements set out in the ecologist's report from Chris Seabridge and Associates dated July 2018 should be followed unless otherwise agreed in writing by the local planning authority and the**

scheme shall be carried out as approved. A working method statement for any protected species present together with an enhancement plan integrated with the landscaping scheme should be submitted to the local planning authority in writing prior to any works commencing on site. The plan shall be implemented as approved.

An appropriately qualified and experienced ecological clerk of works should be appointed (or consultant engaged in that capacity) to oversee the ecological mitigation work.

Reasons: To ensure that all species are protected having regard to the Wildlife and Countryside Act 1981 (with amendments and as supplemented by the Countryside and Rights of Way Act 2000), the Natural Environment and Rural Communities Act 2006 and the Conservation of Habitats and Species Regulations 2010 (and 2012 amendment).

To comply Herefordshire Council's Policies LD2 Biodiversity and Geodiversity, LD3 Green Infrastructure of the Herefordshire Local Plan Core Strategy 2013 – 2031 and to meet the requirements of the National Planning Policy Framework (NPPF).

6. Prior to the first occupation of any of the caravans hereby approved a 'Site Management Plan' which clearly sets out the arrangements for the use and occupation of the development hereby approved (to include amongst other issues; provision of recreation facilities, contact details and address of caravan site manager, type and position of the accommodation units, the maintenance of buildings and common areas, litter collection and disposal, recreation and leisure provision including the control of amplified music, lighting, car parking arrangements) shall be submitted to and approved in writing by the local planning authority. The operation and use of the site shall thereafter be in accordance with the approved management plan.

Reason: In the interests of amenity of nearby residents and to ensure compliance with PolicySD1 of the Herefordshire Local Plan Core Strategy 2011-2031

7. No development approved by this permission shall be commenced/occupied until a the following information has been submitted to and approved in writing by the Local Planning Authority:
1. Detailed drawings of proposed surface water attenuation features, wetlands and outfall structures;
 2. Demonstration that an appropriate Panel Engineer has been consulted in the design of proposed attenuation features with capacity greater than 10,000m³ set above the natural level of the surrounding land; and assessment of potential failure of above-ground attenuation features, including assessment of residual risks to downstream receptors, and proposed mitigation and management measures;
 3. Detailed drawing demonstrating the management of surface water runoff during events that may temporarily exceed the capacity of the drainage system, including conveyance systems;
 4. Detailed drawings of the foul water drainage strategy showing how foul water from the development will be disposed of and illustrating the location of key drainage features;
 5. If infiltration of foul water is proposed to be discharge to the ground, infiltration rates at the location(s) and proposed depth(s) of any proposed foul water drainage fields, undertaken in accordance with BS6297 and Building Regulations Part H;

6. **Demonstration that the risk of water backing up the surface water drainage system from any proposed outfall has been considered and, if necessary, how this risk will be managed without increasing flood risk to the site or to people, property and infrastructure elsewhere, noting that this also includes failure of flap valves;**

The approved details shall be implemented before the first use of the development here by approved and maintained throughout the life time of the development hereby approved.

Reason: in order to secure satisfactory drainage arrangements are provided and to comply with Policies SD3 and SD4 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

8. **E01 Site investigation - archaeology - It would be secured via ‘programme of work’.**
9. **I33 External lighting**
10. **H03 Visibility splays – Highways Farm Access**
11. **H05 Access gates**

Restrictive conditions

12. **In the event that the polytunnel development hereby approved in the opinion of the local planning authority ceases to be functionally used, the polytunnels and all associated infrastructure shall be removed from the site within 9 months of the local planning authority indicating to the applicant that the polytunnels have ceased to be operational the land restored to its former condition.**

Reason: In the interest of visual amenity and to comply with policy LA1 of the Herefordshire Local Plan Core Strategy 2011- 2031

13. **In the event that the polytunnel development hereby approved in the opinion of the local planning authority ceases to be functionally used, the use of the land to house seasonal workers accommodation shall also cease. Subsequent to this and within 12 months of the local planning authority indicating to the applicant that the polytunnels have ceased to be operational all units of accommodation including ancillary buildings or structures on the site shall be removed and the land restored to its former condition.**

Reason: The local planning authority would not have granted planning permission for this use unless it was required in support of the polytunnel development hereby approved as it would have been contrary to policy RA3 of the Herefordshire Local Plan Core Strategy 2011- 2031.

14. **The occupation of the accommodation hereby permitted shall be limited solely to persons employed by Withers Farm Ltd to work on land at Ocle Pychard, and shall be limited to providing accommodation for no more than 330 workers at any one time, and subject to a maximum number of 72 static caravans stationed on the land at any one time. For the avoidance of doubt the development hereby permitted shall not at any time be occupied as a sole or principal residency by any individual or group of individuals.**

Reason: Planning permission has only been granted having consideration for the needs of the proposed agricultural enterprise to operate at Lodge Farm and

Highway Farm in Ocle Prychard, and to maintain control over the scale of accommodation provided in order to clarify the terms of this planning permission to conform with Policy RA3 of the Herefordshire Local Plan Core Strategy 2011-2031.

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any order revoking and re-enacting that order with or without modification, no caravans or any other form of habitable accommodation shall at any time be placed on the land which is under the control and/or ownership of the applicant as defined by drawing no. *PL – 01 Land Ownership Plan*, other than the 72 identified on PL-15 (Lodge Farm Landscaping details – dated 31-10-18)

Reason: In order to clarify the terms of this planning permission and to maintain control over the scale of accommodation provided in the interests of visual and residential amenity to conform with the Herefordshire Unitary Development Plan.

16. The seasonal polytunnels hereby permitted shown on drawing PL – 04A Rev 2 (dated 16-5-2018) in fields A12, A11, A8, A3, A2 and A1 shall only be covered in polythene between 1st February and 15th November in any calendar year, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that the polytunnels hereby permitted are not covered in polythene outside the growing periods, thus ensuring that the visual impact is reduced in accordance with policy LA2 of the Herefordshire Unitary Development Plan, Guideline 6 of the adopted Polytunnel Supplementary Planning Document and having regard to the aims of the National Planning Policy Framework.

17. Unless otherwise agreed in writing by the local planning authority, none of the seasonal polytunnel in fields A12, A11, A8, A3, A2, and A1 shall exceed more than 4.5. metres in height above existing ground level. No year round polytunnel in fields A10, A7, A5, A4, A1 and A2 shall exceed 5.2metres in height above the existing ground level.

Reason: To control the impact of the development within the landscape in accordance with policy LA2 of Herefordshire Unitary Development Plan 2007.

18. A buffer zone shall be installed around T5 of 15m positioned in field A12 to ensure the development does not detrimentally affect the tree condition and shall be maintained for the lifetime of the development.

Reason

To comply with part 11 National Planning Policy Framework recommendations – Conserving and Enhancing the Natural Environment.

19. Except where otherwise stipulated by condition, the development shall be carried out strictly in accordance with the following documents and plan: Agricultural Development at Ocle Prychard Ecological Enhancement & Resource Protection Policy May 2018.

Reason

For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and to comply with Government guidance and National Planning Policy Framework.

20. Except where otherwise stipulated by condition, the development shall be carried

out in accordance with the Fruit Traffic Management Plan dated December 2018 unless agreed in writing by the Local Planning Authority.

Reason: In order to protect the amenity of occupiers of nearby properties so as to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

21. G02 – Retention of existing trees and hedgerows

- 22. To ensure the public right of way and bridlepath is not obstructed and to conform with the requirements of Policy MT1 there shall be no polytunnel erected within 2 metres of the centre line of any public right of way and no polytunnel sited within 3 metres of the centre line of the bridleway.**

Reason: To ensure that the enjoyment of the PROW and Bridlepath is not harmed and to conform with the requirement of Policy MT1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework

- 23. Prior to the occupation of any of the seasonal workers caravans hereby permitted, detailed plans and an amenity strategy shall be submitted to and approved in writing by the local planning authority which shall include, but not be limited to the following;**
- Internal arrangement of the amenity building,
 - Construction details required, which should also include noise attenuation measures ;
 - The hours of use which the employees will be able to access the facilities; and
 - Details of any external lighting required to amenity area.

The development shall be carried out in accordance with the provisions of the approved plans and details.

Reason: In order to protect the residential amenity of adjacent properties and to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

The buildings forms an integral part of the visual environment and this condition is imposed to ensure that the development conforms preserves and conforms to the requirements of Policies SD1 and LD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

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. HN01 – Mud on Highway**

3. **HN04 – Private Apparatus within Highway**
4. **HN05 - Works within the Highway**
5. **HN10 – No drainage to discharge to Highway**
6. **The applicant's attention is drawn to the comments received by the Lugg Drainage board and the requirements of the Bye Laws and S15 OF THE Land Drainage Act 1991 to leave a permanent 9 metre access strip along the Little Lugg, Kymin Section, Lateral No. 2 within the development site, for watercourse maintenance purposes. The written consent of the Board must be obtained for any structure or tree planting within 9m of any Board controlled watercourse measured from the top of the bank or on the landward side of any embankment. Clear unimpeded access for heavy plant is required to and throughout the maintenance area. Any works must not compromise the stability of the bank or create a gradient of more than 1:20 towards the watercourse**
7. **HN02 Public rights of way affected**
8. **N11C General Wildlife and Countryside Act 1981**
9. **N18 European Protected Species**
10. **The applicants are reminded that they are required to completed an application for Ordinary Watercourse Consent for any proposed structures within an ordinary watercourse or works within 8m of an ordinary watercourse**
11. **In relation to condition 23 above, the applicants are advised that should the Local Planning Authority form the opinion that the proposed alterations and chances are of such a scale and form that they alter the character and appearance of the building then a separate planning application could be required.**

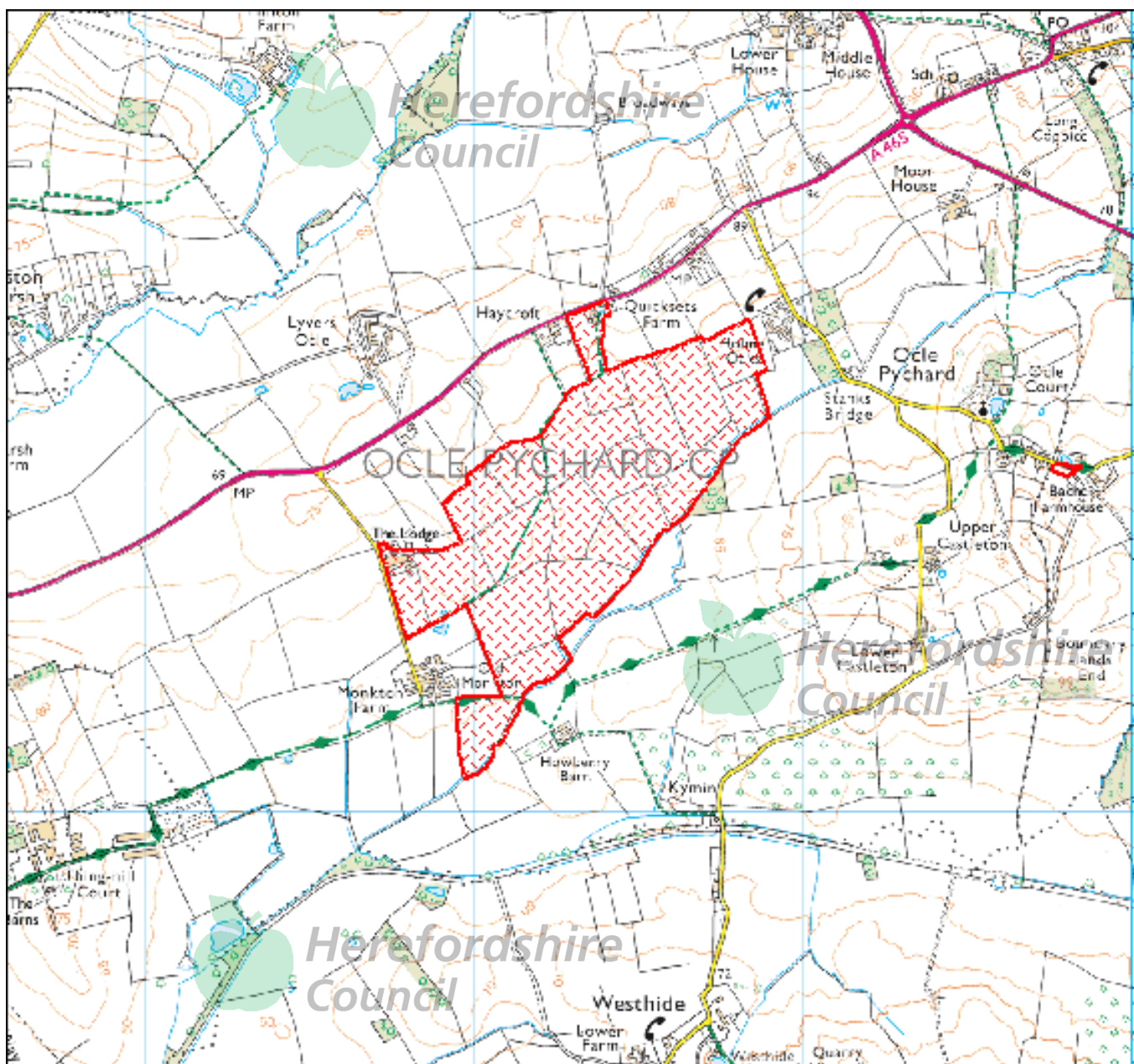
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: 182191

SITE ADDRESS : LAND AT LODGE FARM AND HIGHWAY FARM, MONKTON FARM LANE, OCLEE PYCHARD, HEREFORDSHIRE

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