

**12 DCNE2005/0223/F - THE ERECTION OF A  
POLYTUNNEL 27.5M LONG X 16.0M WIDE AT COSY  
COTTAGE, BADDYMARSH FARM, LOWER  
EGGLETON, LEDBURY, HEREFORDSHIRE, HR8 2UH**

**For: Mr L R C Llewellyn at same address**

**Date Received:**  
24th January 2005

**Ward:**  
Frome

**Grid Ref:**  
62249, 45456

**Expiry Date:**  
21st March 2005

Local Member: Councillor R Manning

### **1. Site Description and Proposal**

- 1.1 The site is located in open countryside and is accessed via an unmade track known as Baddymarsh Farm Lane, which in turn emerges onto the A4103 to the east of Newtown crossroads.
- 1.2 The area is characterised by loose groups of buildings and other structures and comprises low lying land adjacent to the River Lodon. The river forms the eastern boundary of the application site. Mature trees lie to the north and south of the site and are dispersed in a random fashion. However, these provide valuable screening.
- 1.3 The application is for the erection of a polytunnel to be used in connection with the applicants horticultural business. It is to be positioned immediately adjacent to an existing polytunnel and measures 27.5m x 16m and has a maximum height of 3.9m.

### **2. Policies**

Hereford and Worcester County Structure Plan

CTC9 – Development Requirements

Malvern Hills District Local Plan

Landscape Policy 1 – Development Outside Settlement Boundaries  
Environment Policy 9 – Flood Defence

Herefordshire Unitary Development Plan (Revised Deposit Draft)

DR7 – Flood Risk

LA2 – Landscape Character and Areas Least Resilient to Change

### **3. Planning History**

NE2004/1551/F - Retention of mobile home and hardstanding for a temporary period - Approved 23rd June 2004.

NE2003/3304/F - Retention of Polytunnel - Approved 24th December 2003.

NE2002/2985/F - Resiting of mobile home and shed - Allowed on Appeal 21st October 2003.

#### **4. Consultation Summary**

##### Statutory Consultations

- 4.1 Environment Agency - Originally objected to the application on the basis that the north-eastern side of the proposed polytunnel lies within the historic floodplain of the River Ludon.

The Agency objects to the applicants proposal to raise the floor level in the tunnel by 200mm above the highest known flood level unless flood plain compensation is provided on a level for level basis outside of the flood plain.

Following the submission of further information by the applicant addressing the issue of flood plain compensation, the Environment Agency does not object subject to the developments being carried out in accordance with the compensatory flood storage works.

##### Internal Council Advice

- 4.2 Traffic Manager - no objection.
- 4.3 Conservation Manager - no objection subject to the implementation of a landscaping scheme.

#### **5. Representations**

- 5.1 Yarkhill Parish Council - no objection and note the judicious tree planting proposed.
- 5.2 Much Cowarne Parish Council - no objection.
- 5.3 County Land and Business Association - note that the applicant has adopted Herefordshire Council's code of best practice by using trees and shrubs to provide screening. The polytunnel is sympathetically sited and support the application.
- 5.4 CPRE - The proposed development is very large and will have an adverse visual impact in an area of high landscape value. The screening is inadequate and the polytunnel is in the flood plain.
- 5.5 The full text of these letters can be inspected at Northern Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

#### **6. Officers Appraisal**

- 6.1 The concerns raised by the CPRE in relation to visual impact and issues relating to the flood plain are not supported by other consultation responses. The Environment Agency are satisfied that the impact on the flood plain can be satisfactorily mitigated through the works proposed by the applicant. Any approval should be conditional that the scheme is carried out in accordance with those details.

- 6.2 Landscape impact can be addressed by condition. The submitted plans indicate that additional planting will be undertaken. The Council’s Landscape Officer makes further suggestions with regard to preferred species and this can be agreed if planning permission is forthcoming.
- 6.3 The proposed polytunnel will not be visually prominent from public vantage points and subject to the condition recommended above can be appropriately integrated into the landscape. The scheme is therefore considered to accord with Development Plan policies and is accordingly recommended for approval.

**RECOMMENDATION**

**That planning permission be granted subject to the following conditions:**

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

**Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.**

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

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

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

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

- 4 - Prior to commencement of development, compensatory flood storage works shall be implemented, in accordance with the details submitted on plan ref: LRCL.4C. The scheme shall be implemented with the approved programme and details.**

**Reason: To alleviate the increased risk of flooding.**

Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.