

24 DCNW2004/3790/O - SITE FOR NEW FARM SHOP WITH RESTAURANT FACILITY AT LAND OPPOSITE OVERTON FARM, ORLETON, LUDLOW, HEREFORDSHIRE, SY8 4HZ

For: Mr G Lewis per The Les Stephan Partnership, 9 Sweetlake Business Village, Longden Road, Shrewsbury, SY3 9EW

Date Received:
1st November 2004

Ward:
Bircher

Grid Ref:
48655, 66621

Expiry Date:
27th December 2004

Local Member: Councillor S Bowen

1. Site Description and Proposal

- 1.1 The application site comprises a 0.5 hectare area of open fields further to the south-west of Orleton, between Overton Farm and the B4361. These fields slope down to a pond. Land to the west of the B4361 is designated as an Area of Great Landscape Value. The site lies outside of any defined settlement boundary and is also outside of Orleton Conservation Area.
- 1.2 The application requests outline consent for the erection of a farm shop with restaurant facility. Associated siting access and car parking are shown on an indicative plan with all matters are reserved for future consideration.
- 1.3 A further application has also been submitted (DCNW2004/3784/O) for the residential development of the existing farm shop site which lies approximately 200m away to the North East. As part of the application a Feasibility Plan and appraisal have been submitted.

2. Policies

Government Guidance

PPS1 – Delivering Sustainable Development
PPG3 - Housing
PPS7 – Sustainable Development in Rural Areas
PPG15 – Planning and the Historic Environment

Hereford and Worcester County Structure Plan

CTC9 – Development Criteria
A4 – Development Considerations
H20 – Residential Development in Open Countryside

Leominster District Local Plan

A1 – Managing the District's Assets and Resources
A2(D) – Settlement Hierarchy
A9 – Safeguarding the Rural Landscape
A24 – Scale and Character of Development
A34 – Village Based Neighbour Shops and Other Small Scale Commercially Based Local Services
A41 – Protection of Agricultural Land
A45 – Diversification on Farms

Herefordshire Unitary Development Plan (Revised Deposit Draft)

S1 – Sustainable Development
S2 – Development Requirements
S7 – Natural and Historic Heritage
DR1 – Design
DR2 – Land Use and Activity
E11 – Employment in the Smaller Settlements and Open Countryside
E12 – Farm Diversification
E15 – Protection of Greenfield Land

3. Planning History

NW2004/1373/O - Erection of new farm shop with restaurant and conference facility, provision of new car park and erection of new dwelling house for occupation by farm shop site manager - withdrawn - 26th July 2004.

4. Consultation SummaryStatutory Consultations

- 4.1 Environment Agency raises no objection but recommends conditions relating to the submission of foul and surface water drainage details.

Internal Council Advice

- 4.2 The Transportation Manager recommends that any permission which this authority may wish to give include conditions relating to visibility splays, access, turning and parking facilities including the width of the access road.
- 4.3 The Conservation Manager:

Landscape Officer: recommended refusal on grounds of landscape impact due to the prominent location of the site as it would be contrary to Policy A9: Safeguarding the Rural Landscape of the Leominster District Local Plan (1999).

Ecologist has no objection to the application on the grounds that the diverse wildlife habitat of the pond could be improved and enhanced with mitigation.

5. Representations

- 5.1 Orleton Parish Council makes the following comments:

- This is a new development in open countryside.
- Visually this is a critical area at one of the main entrances to the village and a large development here would change the initial impressions and "introduction" to the village.
- The road is unsuitable for increased traffic being narrow with poor visibility. The junction with the B4361 is poor and dangerous.
- The farm shop already exists and there is adequate room on the present side to extend and develop.
- Development of the farm shop to a more diverse enterprise could jeopardise the viability of the village Post Office.

Orleton Parish Council does not support this application.

- 5.2 The feasibility study undertaken by McCartney's includes details regarding the proposed business, financial viability and costs and marketing appraisal. The report states:

"The relocation of the farm shop and the enhancement of the building and facilities, will allow this rural business to grow to provide further employment for the area. The new farm shop building will incorporate a restaurant, kitchen, farm shop and butchery section. The public will also have access to neighbouring land, wetland and pool areas for their enjoyment.

The farm shop will continue to sell similar products as currently, but also enabling them to stock a wide range of other local crafts and foods to increase the desirability of the farm shop. The butchery section will enhance the presentation and marketability of the products already sold at the farm shop together with stocking a wider variety of meats which have been sourced from local areas. The butchery will also designate a section to organic meats which are reared on the applicant's organic farm.

The restaurant will be open daily for hot and cold meals. Food will be prepared from ingredients stocked in the farm shop and butchery, so the public can taste the foods on offer in the shop. These enterprises will complement each other and enhance marketability and desirability of the complex over and above other retail outlets within the local area.

The new complex would substantially increase the turnover of the existing business, and therefore create extra employment within this local area. The farm shop and complex would provide an attraction to the area for tourists and benefitting the businesses in the locality.

Stalls at farmers' markets, and also local markets, would be maintained to create the awareness of the farm shop complex and rural leisure area."

One letter of support has been received from Christina O'Neill of The Old Bakery, Orleton which can be summarised as follows:

- Existing thriving business is an asset to the village and surrounding villages
- Buildings are well sited and will blend in and compliment its rural surroundings
- Enterprise will be for local people and attract visitors
- If planning permission not granted then we may lose farm shop as the business is not financially viable which may lead to loss of village asset and local jobs

One petition containing 79 signatures was also received in support of the Outline Planning Permission for the site of the proposed farm shop.

5.4 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

The main issues to consider in the appraisal of this application are:

- The principle of development
- The impact on the landscape
- Highway safety

- Policy A34 of the Leominster District Local Plan makes allowance for Village and neighbourhood shops and other small scale commercially basis local serving particular community needs which reduce the need to travel to larger centres when they satisfy the criteria of Policy A1 and are located in or around the village or neighbourhood they serve. Policy A35 is also supportive of such employment generating uses where they relate well to the existing settlement and have safe and convenient pedestrian access.

- The application site lies in an isolated position approximately 650m outside of the settlement boundary, unrelated to any other existing buildings or structures and as such the proposed site is clearly unrelated to the existing settlement.

- The site is readily visible from the section of the B4361 to the south of its junction with Kitchen Hill Road. This section of road is elevated above the level of the site. There are also views into the site from the vicinity of Overton Farm and Overton House. Although all matters are reserved for future consideration there is an objection in principle to such a large-scale development being sited in this isolated, prominent positioning in open countryside. It would also fail to preserve the character and appearance of the Orleton Conservation Area because the new buildings would be visually intrusive elements in the open countryside that forms the setting of the village.

- In addition to this, the creation of new access road across a field, from Kitchen Hill Road, to serve the development would also have a detrimental effect on the landscape quality of the area. It appears that the creation of a visibility splay would necessitate the removal of significant lengths of hedgerow along Kitchen Hill Road, although this is not explicitly mentioned in the application, as access is reserved for future consideration. The large parking area, and paraphernalia which would be associated with such a shop, such as signs, fences, parked cars etc would also have a negative impact on the wider area.

- It is therefore recommended that permission be refused for this development, on the grounds that it is contrary to Policy A9: Safeguarding the Rural Landscape of the Leominster District Local Plan.

- A feasibility study has also been submitted with the application looking at the financial viability of the farm shop and the demands for such a business. It would

appear from this report that there are no exceptional circumstances, which would outweigh the policies seeking to protect the open countryside.

RECOMMENDATION

That planning permission be refused for the following reason:

- 1 - It is considered that this proposal is contrary to Policy A1, A34 and A45 of the adopted Leominster District Local Plan. The development would constitute a new building in the open countryside, unrelated to the nearby settlement of Orelton or any existing buildings.**

- 2 - The application site lies in an isolated, prominent position in open countryside. It would have a harmful affect on the rural character of the countryside contrary to Policy A9 of the Leominster District Local Plan.**

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.