

16 DCCW2005/2985/F - RETROSPECTIVE APPLICATION FOR GENERAL PURPOSE AGRICULTURAL SHED AT BANK LODGE, COLDWELLS ROAD, HOLMER, HEREFORD, HR1 1LH**For: Mr. J. Phipps, Bank Lodge, Coldwells Road, Holmer, Hereford, HR1 1LH****Date Received: 16th September, 2005****Ward: Burghill,
Holmer & Lyde****Grid Ref: 50924, 42579****Expiry Date: 11th November, 2005**

Local Member: Councillor S.J. Robertson

1. Site Description and Proposal

- 1.1 This is a retrospective application for a building described as a general purpose agricultural shed. The site is within and close to the southern boundary of a paddock area adjacent to the residential curtilage of Bank Lodge, a modern detached dwelling on the south side of Coldwells Road some 400 metres beyond the junction with Attwood Lane.
- 1.2 The paddock has an area of approximately 0.75 acres and slopes steeply from its Coldwells Road boundary to the north down to its boundary with Coldwells Cottage to the south. The cottage is located at the end of a short track off Coldwells Road.
- 1.3 The building itself is sited parallel to and some 4 metres away from the boundary with Coldwells Cottage. The boundary at this point being formed by a dense mature hedgerow some 3 metres high measured from the slightly lower level of the cottage garden. At an oblique angle the nearest point of the cottage itself is some 10 metres from the agricultural shed. The cottage also has a domestic garage along part of the opposite side of the hedge to the application site.
- 1.4 The overall footprint of the agricultural shed measures 5.8 metres x 13.6 metres within that area the actual walled space is 4.8 metres x 9.1 metres with the remainder being open sided covered area. The eaves and ridge heights are 2.3 metres and 3.3 metres respectively. Facing materials are vertical, tanalised timber boarding for the walls and slate grey, corrugated fibre cement roof cladding. There are two wall openings to the shed, one in the north elevation, the other in the east elevation.
- 1.5 At the time of the site inspection the building was being used for storage including timber, a small tractor and trailer and miscellaneous items. A small space of approximately 10 sq. metres was available inside the walled area for the two goats and ten chickens currently kept on the land.
- 1.6 The surrounding area is essentially a rural landscape with a scattering of housing along Coldwells Lane. The landscape has been characterised in the Supplementary Planning Guidance - Landscape Character Assessment as Principle Settled Farmland within landscape that is resilient to change.

2. Policies

2.1 Planning Policy Guidance:

PPS1	-	General Policy and Principles
PPS7	-	Sustainable Development in Rural Areas

2.2 Hereford and Worcester County Structure Plan:

Policy CTC9	-	Development Requirements
Policy A1	-	Development on Agricultural Land
Policy A3	-	Agricultural Buildings

2.3 South Herefordshire District Local Plan:

Policy GD1	-	General Development Criteria
Policy C1	-	Development Within Open Countryside
Policy ED9	-	New Agricultural Buildings

2.4 Herefordshire Unitary Development Plan (Revised Deposit Draft):

Policy S1	-	Sustainable Development
Policy E13	-	Agricultural and Forestry Development
Policy LA2	-	Landscape Character and Areas Least Resilient to Change

2.5 Supplementary Planning Guidance – Landscape Character Assessment

Site within a landscape type that is “Resilient to Change” and “Principle Settled Farmland.”

3. Planning History

- | | | |
|-----|------------|--|
| 3.1 | SH960533PF | Proposed house with granny annexe and new access. Refused 4th September, 1996. |
| 3.2 | SH961170PF | Proposed bungalow with granny annexe and access. Refused 8th January, 1997. |
| 3.3 | SH970117PF | Proposed bungalow with granny annexe and access. Approved 9th October, 1997. |
| 3.4 | SH971415PF | Proposed garage. Approved 2nd January, 1998. |

4. Consultation Summary

Statutory Consultations

- 4.1 None.

Internal Council Advice

- 4.2 Traffic Manager: no objection.

- 4.3 Environmental Health and Trading Standards Manager: recommends a condition to restrict the housing and rearing of pigs on the site and is satisfied that any noise issues that may be raised in the future can be dealt with under Statutory Nuisance legislation of the Environmental Protection Act 1990.

5. Representations

- 5.1 Holmer Parish Council: Any response will be reported verbally.
- 5.2 A letter of objection has been received from Mr. G. Preece, Coldwell Cottage, Coldwells Road. The main points raised are:-

“The term 'general purpose agricultural shed' suggests that the building could be used for any application. Due to its very close proximity to my property, approximately 35 feet, this is totally unacceptable and will likely cause future environmental conflicts of noise, odour and possible health hazards.

The size of the building is excessive being approximately 45 feet by 12 feet. This has a detrimental environmental impact when viewed from Coldwells Road. The size would also seem excessive considering the very small amount of land at Bank Lodge and the large existing outbuildings currently available.

I would therefore request that the Planning Committee should reject this retrospective application. Should you consider in favour of allowing this building to remain, may I suggest the below conditions:

- The building be strictly limited as a 'storage shed'.
- Storage should be of the owner's materials and effects only.
- Storage should be of non-biodegradable materials likely to cause odours.
- Storage of power tools and machinery should exclude use and repair, to avoid excessive noise.
- Livestock should be limited to a maximum of 2 head with a total weight of 60 kilogram, in order to avoid excessive odour.”

The full text of these letters can be inspected at Central Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

6. Officers Appraisal

- 6.1 The principal planning issues are considered to be landscape impact and residential amenity.

Landscape Impact

- 6.2 Having regard to the siting and design characteristics referred to earlier, the building is of modest proportions. The total ground coverage is some 79 sq.m. within which the walled floor space is some 44 sq.m. This means that approximately 45% is open sided covered area. The elevational profiles are relatively low and the overall scale may be

described as consistent with an agricultural utility building commonly associated with the operation of an agricultural smallholding.

- 6.3 Being positioned at the lower end of a steep field some 70 metres from Coldwells Lane the building is not on the skyline. It is close to a dense mature hedgerow and some 30 metres from the garage building within the residential curtilage of Bank Lodge. Coldwells Cottage the end house of a group of three fronting the short track which bounds Bank Lodge off Coldwells Road is also part of the building backdrop.
- 6.4 In the above mentioned context the building is not perceived as a prominent, isolated or visually inappropriate structure. As such it does not compromise the landscape character of the area as categorised in the Council's Supplementary Planning Guidance document – 'Landscape Character Assessment'.

Residential Amenity

- 6.5 The site has been viewed from the grounds of Coldwells Cottage, the nearest residential property and, at the request of the applicant, from within a ground floor living room. The dense mature boundary hedgerow approximately 3 metres high virtually masks ground level views of the agricultural shed. Notwithstanding the proximity of the building it is considered that it does not have a significant visual impact on outlook or amenity.
- 6.6 In the scale of agricultural buildings this structure is not considered to be large. The walled part of the structure facing the hedgerow boundary does not include openings. On the basis of general agricultural requirements to serve a smallholding, the current and potential level and nature of usage it is not considered that the use of the building poses an unacceptable risk to the amenity of the occupiers of Coldwells Cottage or other dwellings in the neighbourhood. However, it is considered that a condition along the lines recommended by the Environmental Health and Trading Standards Manager would be appropriate. This judgement is made in the context of the prevailing and ambient agricultural land use character.
- 6.7 With reference to the conditions suggested by the objector and having regard to the advice contained in Circular 11/95 - The Use of Conditions in Planning Permissions, it is considered that conditions over and above that included in the recommendation would be unreasonable. The Environmental Health and Trading Standards Manager has only recommended the condition restricting the housing and rearing of pigs on the site and is satisfied that any noise or odour issues that may be raised in the future can be dealt with under the statutory nuisance legislation of the Environment Protection Act 1990.

RECOMMENDATION

Subject to no further objections raising additional material planning considerations by the end of the consultation period, the officers named in the Scheme of Delegation to Officers be authorised to approve the application subject to the following condition and any further conditions considered necessary by Officers:

- 1. The development hereby approved shall not be used for the housing or rearing of pigs.**

Reason: To safeguard residential amenity.

Informative:

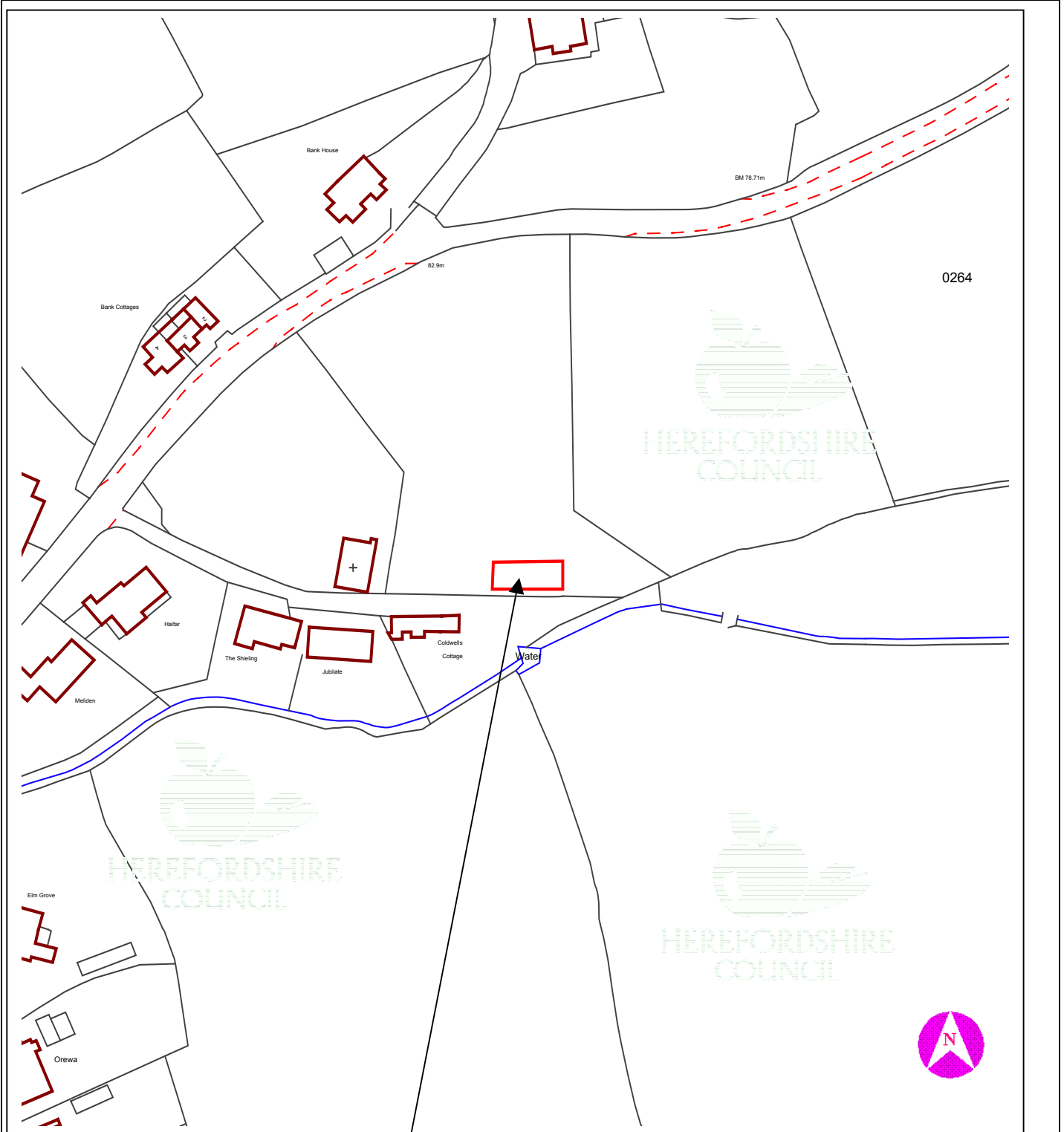
- 1. N15 - Reason(s) for the Grant of PP.**

Decision:

Notes:

Background Papers

Internal departmental consultation replies.



This copy has been produced specifically for Planning purposes. No further copies may be made.

APPLICATION NO: DCCW2005/2985/F

SCALE : 1 : 1250

SITE ADDRESS : Bank Lodge, Coldwells Road, Holmer Hereford HR1 1LH

Based upon the Ordnance Survey mapping with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Herefordshire Council. Licence No: 100024168/2005