

14 DCNW2006/1390/F - EXTENSION OF EXISTING MOBILE HOME SITE TO PROVIDE 15 FURTHER MOBILE HOMES FOR OCCUPATION BY FRUIT PICKERS ON LAND TO NORTH OF EXISTING MOBILE HOME SITE AT OAKCHURCH FARM, STAUNTON-ON-WYE, HEREFORD, HEREFORDSHIRE, HR4 7NE

For: Messrs E & J Price per CJ Watkinson, Brightwells, Cathedral Chambers, Thorpe House, Broad Street, Hereford, HR4 9AS

Date Received:

5th May 2006

Expiry Date:

30th June 2006

Local Member: Councillor J Hope

Ward: Castle

Grid Ref:

37397, 45024

1. Site Description and Proposal

- 1.1 The location for the development is alongside the northern boundary of an existing mobile caravan site used for the housing of fruit pickers in the employment of Oakchurch Farm.
- 1.2 Access to the site will be through the existing mobile home site from the farmyard. The site is otherwise immediately surrounded by agricultural land in the ownership and control of the applicants.
- 1.3 The existing mobile home site consists of 25 caravans that are able to house 6 - 8 persons per unit. This development was granted planning permission 'retrospectively' by Committee on 18th May 2005, and is conditioned with regards to occupancy rate and time period per unit.
- 1.4 The site as a whole has commanding views over the surrounding countryside and in particular in a south westerly direction. The farm complex itself gives reasonable screening on the eastern and south eastern elevations from where access is obtained to the public highway. The land raises slightly towards the northly elevation.
- 1.5 The development subject to this application is for a further 15 mobile units of similar size and design to those on the previously approved site. The 15 units subject to this application have already been placed on site in a layout as indicated on the plans submitted subject to this application, and foul drainage pipes have also been installed to serve the units. Therefore this application is now 'retrospective'. On a site visit by the Case Officer on 17th May 2006, there was no indication that any of the 15 units were in occupation.

2. Policies

2.1 Leominster District Local Plan

- A1 – Managing the District's Assets and Resources
- A2(D) – Settlement Hierarchy
- A9 – Safeguarding the Rural Landscape
- A12 – New Development and Landscape Schemes
- A13 – Pollution Control
- A16 – Foul Drainage
- A22 – Ancient Monuments and Archaeological Sites
- A23 – Creating Identity and an Attractive Built Environment
- A24 – Scale and Character of Development
- A28 – Development Control Criteria for Employment Site
- A35 – Small Scale New Development for Rural Businesses within or around Settlements
- A41 – Protection of Agricultural Land
- A43 – Agricultural Dwellings
- A54 – Protection of Residential Amenity
- A58 – Mobile Homes
- A78 – Protection of Public Rights of Way

2.2 Herefordshire Unitary Development Plan (Deposit Draft)

- A1 – Development Criteria
- S1 – Sustainable Development
- S2 – Development Requirements
- S3 – Housing
- S4 – Employment
- H7 – Housing in the Countryside Outside Settlements
- H8 – Agricultural and Forestry Dwellings and Dwellings Associated with Rural Businesses
- H11 – Residential Caravans
- E6 – Expansion of Existing Businesses
- E11 – Employment in the Smaller Settlements and Open Countryside
- E15 – Protection of Greenfield Land
- HBA9 – Protection of Open Areas and Green Spaces
- ARCH3 – Scheduled Ancient Monuments
- CF2 – Foul Drainage
- DR13 – Noise
- LA6 – Landscaping Schemes

2.3 Planning Policy Guidance Notes

- PPG1 – General Policy and Principles
- PPS7 – Sustainable Development in Rural Areas
- PPG – Nature Conservation
- PPG16 – Archaeology and Planning
- PPG24 – Planning and Noise

3. Planning History

- 3.1 NW2004/3076/F - Change of Use to site for caravans for fruit pickers (retrospective application) - Approved 9th January 2006.

- 3.2 NW2004/3407/F - Extension to food hall and storage, construction of polytunnel type construction over plant area - Approved 8th November 2004.
- 3.3 NW2002/0832/F - Ancillary building to provide storage and shelter for fruit picking facility - Approved 1st May 2002.

(The latter two approvals were for sites adjacent to the first mentioned. The farm as a whole having a very extensive planning history in relationship to its production of fruit and retailing).

4. Consultation Summary

Internal Council Advice

- 4.1 Traffic Manager - Recommend that any permission which this Authority may wish to give include Condition Nos. 13 and 14 of planning approval reference number DCNW2004/3076/F dated 9th January 2006 for the adjacent site as well as an additional condition and highway note. Concerns are also raised that Condition Nos. 14 and 16 of the previous approval have not been discharged.

5. Representations

- 5.1 Staunton-on-Wye Parish Council state in their response:

- “1. There is increasing concern about the capacity of the sewage systems. Can the Parish Council have assurance there is adequate to cater for the increased use of occupants?
2. Landscaping should be completed within 12 months of the application date.
3. The conditions imposed on the previous application (DCNW2004/3076/F should apply equally to this extension.”

- 5.2 Letters of objection/comment have been received from three separate households:

- Drs Brian and Helen Beach, Church House, Staunton-on-Wye
- R Sanderson & I Lewis, Oakdale, Staunton-on-Wye
- Major and Mrs N Berry, Oakchurch House, Staunton-on-Wye

The objections can be summarised as follows:

- Impact of proposal on surrounding countryside insufficient screening of existing site and therefore this issue will be further exacerbated by the proposal subject to this application.
- Concerns about acreage of polytunnels on the farm unit subject to this application and impact has on the quality of the surrounding landscape.
- Disturbances created at night from occupants of existing mobile units on site.
- Concerns over the development being 'retrospective' like the previous and dismay at Herefordshire Council with regards to this form of development.
- Environment concerns with regards local water discharge from the existing site.

- 5.3 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 Although the application was not registered as 'retrospective' it has since become retrospective, as the 15 mobile units subject to this application have recently been placed on site and the foul drainage system has been installed to serve the units. However, it must be emphasised that occupation of the units does not appear to have taken place to date.
- 6.2 The application indicates that the acreage of strawberries grown by the farming business has increased from 74 acres in 2005 to 105 acres in 2006, which represents an increase in production of approximately 35%. The supporting statement submitted with the application also indicates that all labour employed on the farm is primarily of East European origin and in 2005 comprised of 130 persons and therefore with the increase in production it is envisaged employment will increase to 175 persons.
- 6.3 The statement submitted with the application indicates that the business is also expanding in raspberry production and that this section of the business will be already established by 2007 and that a further 17 persons will be required for this part of the enterprise.
- 6.4 Therefore a total of 80 more persons will be required hence the application for a further 15 mobile units.
- 6.5 The application has aroused local opposition due in part to the rapid expansion of the farming enterprise as a whole, and its impact on the surrounding landscape.
- 6.6 Of particular concern to Officers is the fact that the applicants have not complied with conditions relating to landscaping and public highways issues, attached to Planning Permission DCNW2004/3076/F dated 9th January 2006. However, this is a separate planning issue to the development subject to this application and is being investigated separately.
- 6.7 In response to local concerns about the proposal, the site is a convenient location for mobile home expansion as it is adjoining the existing site and is reasonably well screened from the north and east by the existing land topography. However, landscaping will be required on its western boundaries. The Local Planning Authority has no record of any concerns with regard to night-time disturbances, which in any case would be an issue for the local police to investigate.
- The fact that this application is also now 'retrospective' like the previous is of concern and members need to be aware of this issue when considering necessary conditions to any approval by ensuring that details are brought forward in a timely manner.
- 6.8 In response to concerns about the capacity of the sewage system, this issue was resolved subject to the previous approval, through liaison with the Environment Agency and was the main reason for the delay in issuing the approval notice. A Consent to Discharge was issued to the applicants by the Environment Agency on 9th September 2005. A condition can also be attached to the approval notice if members are mindful to approve the application with regards to this issue.
- 6.9 The other two issues raised by the Parish Council are not directly related to the application under discussion but are noted and will be pursued by the Local Planning Authority, in respect of the previous planning approval adjoining the site subject to this application.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1 - The caravan hereby permitted shall be removed permanently from the site on or before 5 years and the land reinstated in accordance with details (including timescale) which shall be submitted to and approved in writing by the local planning authority.

Reason: The local planning authority is not prepared to permit a residential caravan in this location other than of a temporary basis having regard to the special circumstances of the case.

- 2 - No caravan on the site shall be occupied between 1st October in any one year and 1st May in the succeeding year.

Reason: To prevent the establishment of a residential use in the countryside where it would not normally be permitted.

- 3 - No external surface of any static caravan hereby approved shall be of a colour other than one which has previously been approved in writing by the local planning authority for that purpose.

Reason: To minimise visual intrusion.

- 4 - The foul drainage from the proposed development shall be discharged to a septic tank and soakaway system which meets the requirements of British Standard BS 6297:1983. There shall be no connection to any watercourse of land drainage system and no part of the soakaway system shall be situated within 10 metres of any ditch or watercourse.

Reason: To prevent pollution of the water environment.

- 5 - Within one month of the date of this decision notice a scheme for the provision of storage, prior to disposal, or refuse, crates, packing cases and all other waste materials shall be submitted for the approval of the local planning authority. The approved scheme shall be implemented prior to the first occupation of the development hereby permitted.

Reason: In the interests of amenity.

- 6 - The occupation of the caravans shall be limited to persons in full-time employment at Oakchurch Farm under the Home Office Seasonal Agricultural workers scheme or equivalent, unless otherwise previously agreed in writing by the local planning authority.

Reason: Planning permission has only been granted given the farming requirements of Oakchurch Farm.

- 7 - Details of any external lighting proposed to illuminate the development shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and there shall be no other external illumination of the development.

Reason: To safeguard local amenities.

- 8 - Full details will be submitted to the Local Planning Authority prior to the first recognised planting season after the issuing by the Council of this approval notice and agreed in writing by the Local Planning Authority on details of all boundary tree and hedge planting and internal tree/shrub planting within the caravan park complex.**

Reason: In order to protect the surrounding landscape and improve the visual impact of the development on the surrounding landscape.

- 9 - All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. If any plants fail more than once they shall continue to be replaced on an annual basis until the end of the 5 year ? period**

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

- 10 - The landscaping scheme required by Condition No. 8 above shall include the following:**

- a) Full details of all existing physical and landscape features on the site including the position, species, height, girth, spread and condition of all trees, clearly distinguishing between those features to be retained and those to be removed.**
- b) Full details of all proposed fencing, screen walls, hedges, floorscape, earth moulding, tree and shrub planting.**
- c) Full details of all protective measures to prevent damage during the course of development to trees and other features to be retained.**

Reason: In order that the local planning authority may be satisfied that the deposited scheme will meet their requirements.

- 11 - H30 (Travel plans)**

Reason: In order to ensure that the development is carried out in combination with a scheme aimed at promoting the use of a range of sustainable transport initiatives.

- 12 - Each caravan unit will have its own designated car parking space and sufficient room will be allowed in order that it may enter and leave this space in a forward gear. The car parking space will be constructed in accordance with full details as approved in writing by the Local Planning Authority within 12 months of the issuing of this approval notice.**

Reason: In the interest of highway safety and to minimise the likelihood of indiscriminate parking.

- 14 - Within 12 months of the issuing of this approval notice provision for cycle parking will be provided on site in accordance with full details as previously approved in writing by the Local Planning Authority.

Reason: In order to ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both Local and Nation Planning Policy.

- 15 - The site shall be securely locked by means of a gate and padlock during the period 1st October and 1st May of the following year. With no means of public access onto the site.

Reason: In order to ensure that the site is not in occupation for a full year, as the location is considered unsuitable as a permanent residential site.

- 16 - Within 3 months of the date of this permission the applicant shall have agreed in writing with the Local Planning Authority, a travel plan to ensure that occupiers have sustainable options to gain access to leisure/shopping facilities.

Reason: To ensure a sustainable option is available to reduce reliance upon car bourne transport.

- 17 - The occupancy of each individual caravan unit will be in accordance with a specification list submitted within one month of the date of this decision notice and approved in writing by the Local Planning Authority (or will not exceed these numbers).

Reason: In order that the Local Planning Authority can have control over the amount of persons on site, in the interests of the amenity of the surrounding areas.

Informatives:

- 1 - N15 - Reason(s) for the Grant of PP/LBC/CAC
- 2 - HN25 - Travel plans

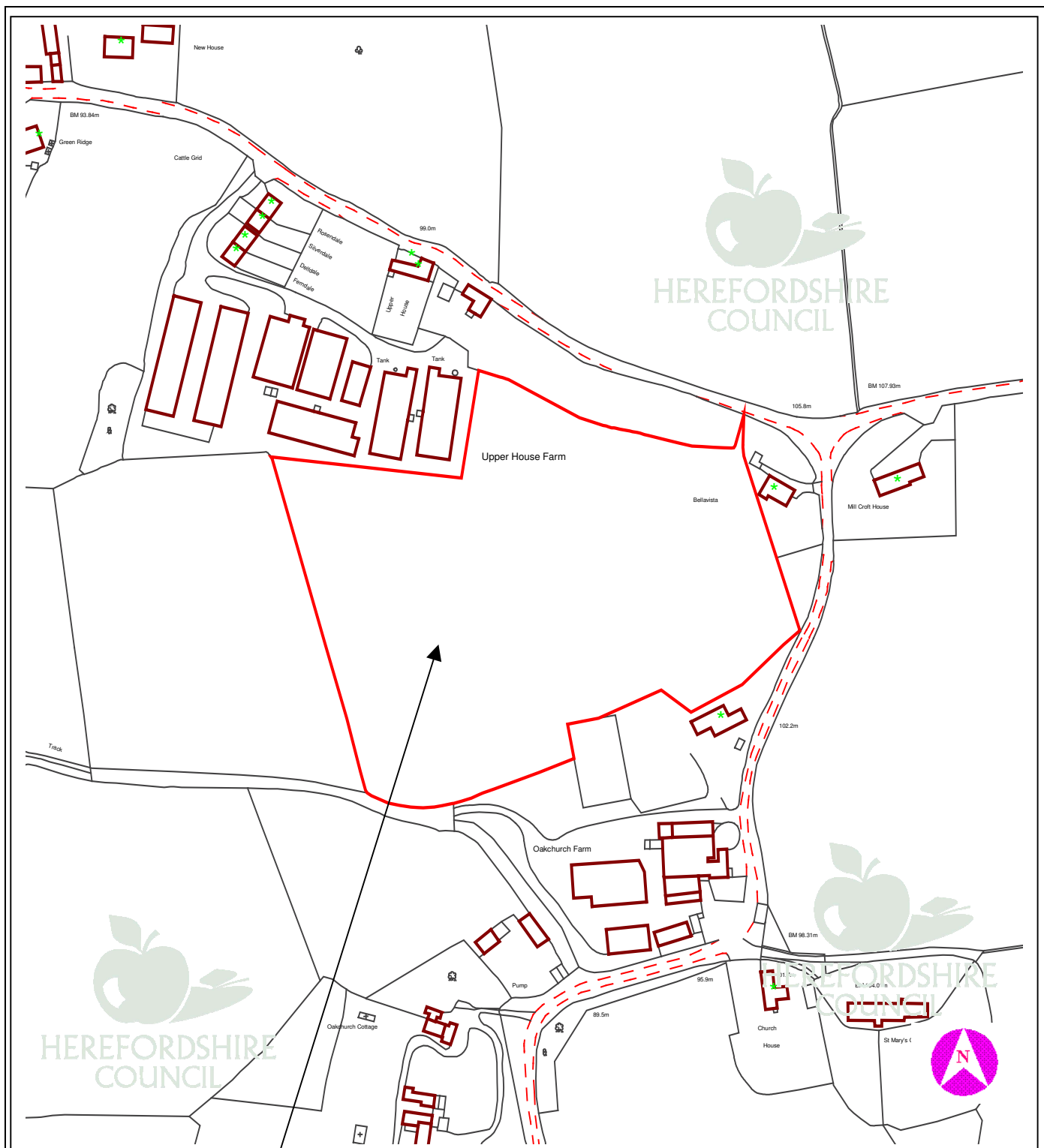
Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.



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

APPLICATION NO: DCNW2006/1390/F

SCALE : 1 : 2500

SITE ADDRESS : Land to north of existing mobile home site at Oakchurch Farm, Staunton-On-Wye, Herefordshire, HR4 7NE

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