

**13 DCNW2006/1785/F - GENERAL PURPOSE GRADING BUILDING, ASSOCIATED HARDSTANDINGS AND LANDSCAPING AT COURT FARM, BYTON, PRESTEIGNE, HEREFORDSHIRE, LD8 2HS**

**For: S & M Edwards & Sons per Mr P Dunham, Paul Dunham Associates, 19 Townsend Soham, Cambridgeshire, CB7 5DD**

**Date Received:****5th June 2006****Ward:****Mortimer****Grid Ref:****36941, 63871****Expiry Date:****31st July 2006**

Local Member: Councillor Mrs O Barnett

**1. Site Description and Proposal**

- 1.1 The site for the proposal development forms part of a farmyard, located on side of a valley floor, from where the land rises in the easterly and westerly directions and therefore there are far ranging views into and out of the farmyard complex.
- 1.2 The farm unit subject to the application is mainly used in connection with potato and livestock production.
- 1.3 The existing farm complex comprises of a range of modern and traditional farm buildings. The more modern structures being used in connection to the potato production which appears to be the farms principal enterprise. These structures have quite a dominant impact on the surrounding landscape and are of fairly recent construction. Additional tree planting has been put in place to help reduce the visual impact of these structures, however, they are presently in their infancy and in the process of getting established. The site is surrounded by other dwellings and farmsteads that are outside the control of the applicant. Many of these dwellings have views into the application site.
- 1.4 The application proposes the construction of a general purpose building, associated hardstanding and landscaping. The structure to be used in connection to the farm's potato business.
- 1.5 The plans submitted for planning determination indicated a steel framed building with a floor space of approx. 543.25 square metres. The proposed external construction is of composite insulated panels for the walls finished in an olive green colour under a roof of the same external construction in a grey external colour.

**2. Policies****2.1 Leominster District Local Plan (Herefordshire)**

A1 – Managing the District's Assets and Resources

A2 – Settlement Hierarchy  
A6 – Sites of Local Importance for Nature Conservation  
A9 – Safeguarding the Rural Landscape  
A18 – Listed Buildings and their Settings  
A23 – Creating Identity and an Attractive Built Environment  
A24 – Scale and Character of Development  
A41 – Protection of Agricultural Land  
A54 – Protection of Residential Amenity  
A70 – Accommodating Traffic from Development  
A78 – Protection of public rights of way

## **2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft)**

S1 – Sustainable Development  
S2 – Development Requirements  
DR1 - Design  
DR2 – Land Use and Activity  
DR3 – Movement  
DR4 – Environment  
E13 – Agricultural and Forestry Development  
E15 – Protection of Greenfield Land  
T8 – Road Hierarchy  
LA2 – Landscape Character and Areas Least Resilient to change  
LA3 – Setting of Settlements  
HBA4 – Setting of Listed Buildings

## **3. Planning History**

- 3.1 NW05/3117/F - Erection of agricultural storage and potato grading building - Withdrawn 31st October 2005
- 3.2 NW05/2082/F - Erection of agricultural storage and potato grading building - Withdrawn 26th August 2005
- 3.3 NW04/1841/F - Potato store extension - Approved 2nd September 2004
- 3.4 NW01/1316/F - Steel portal framed cold potato storage building - Approved 21st August 2001

## **4. Consultation Summary**

### Internal Council Advice

- 4.1 Environmental Health Manager raises no objections to the proposed development.
- 4.2 Transportation Manager has no objection to the granting of permission.
- 4.3 Public Rights of Way Manager raises no objections to the proposed development.
- 4.4 Landscape Manager has no objections to the proposed development subject to the inclusion of appropriate conditions to any approval notice issued.

## 5. Representations

5.1 Byton Parish Council have responded to the application stating in principle that they support the application. However, their response does contain the following summarised concerns from surrounding residents:-

- Protection of neighbouring dwelling adjacent to 'potato box storage area' on amenity issues such as noise, dust and foul water seepage.
- Height of land on which it is proposed to store potato boxes is made up and should not rise any higher.
- Waste should be disposed of off site.
- Adequate tree and hedge plantings with adequate maintenance to ensure their survival. Also a mixture of deciduous and evergreen are required to ensure all year round screening.
- Sufficient concrete/macadam surfaces must be provided in order to control dust and mud.
- Working hours should be clearly stated.
- Artificial lighting of the site must be controlled.
- Control over box storage area and the visual amenity.
- Concerns are raised about delivery drivers requesting directions from neighbouring dwellings.
- Concerns about damage to public highway ditch as a result of farm vehicles turning into and out of the site.
- Concerns about rapid expansion of the farm site and that no more farm expansion should be allowed.

5.2 Letters of objection/comment have been received from the following:-

- G A & A M Morgan, The Cottage, Byton
- Mrs V L Delaney, Pipe Trow, Byton
- Mr David Delaney, Pipe Trow, Byton
- Cara Williams, Court Leas, Byton
- J Rogers, Highfield, Byton

Issues raised can be summarised as follows:-

- Concerns about rapid expansion of business conducted from site.
- Definition of application is too loose and should be more clearly defined.
- Concerns about density or traffic from and to the site and other sites outside the control of the applicants, on adjoining public highway.
- Landscaping is considered vital if application is approved and should consist of deciduous and evergreen plantings and be adequately maintained and monitored by the Council.
- Visual impact of the farm as a whole on the surrounding landscape.
- Amount of made up ground surrounding the southern side of the site which is now above the neighbouring dwellings domestic curtilage.
- Hours of operation from site and artificial lighting need addressing adequately.
- Location of proposed storage building should be in-line with existing buildings on site.
- Outside area needs adequate concrete/macadam areas to reduce severity of dust and mud.

- 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 This application is the third application submitted to the local planning authority for a grading store on site by the applicants, the previous two applications withdrawn by the applicants due to Officer's concerns about the proposal. This present application is much clearer and detailed, as commented upon by the Local Parish Council and members of the public, many of whom responded, not objecting to the proposal, but raising concerns due to past issues of concern with regards to farming activities conducted on site.

- 6.2 The main issues for planning consideration are:-

- Impact on the surrounding landscape by means of visual, landscaping, noise and light pollution.
- Public highway impact as a result of business conducted on site.

### Impact on the surrounding landscape

- 6.3 The plans submitted indicate the proposed general purpose grading store as well as enhancements to existing building facilities. Detail is provided of the future overall layout for the farmyard as well as details on proposed landscaping. Overall the proposal is considered a vast improvement on the existing farm layout as clearly accepted by the local Parish Council and members of the public who have commented on the application.

- 6.4 However, if Members are mindful to approve the application, the landscaping proposals by means of tree and hedge planting needs to be carried out with careful consideration to the surrounding landscape, in that all planting is of native species to the surrounding area, while also including some coniferous species mixed in to lessen the impact of the proposed development on the surrounding landscape throughout the year. Larger species will also need to be incorporated into the planting than those of the existing plantations on site in order to give a more immediate effect. Conditions can be attached to any approval notice issued addressing plantings and their future management in order to ensure adequate establishment.

- 6.5 The proposed siting of the grading building is considered acceptable in order to allow the applicants sufficient room to store empty potato boxes adjacent to the site, where they are most needed. Storage of potato boxes (in season) has been a controversial issue and one that the applicants have tried to address. The proposed area designated for box storage is considered the least obtrusive in consideration of the surrounding area as a whole. Officers recommend that subject to Members approval this issue is addressed through conditions. Relevant issues with regards to noise, lighting, and waste disposal can also be addressed through the imposition of conditions. It is noted the Environmental Health Manager raises no objections to the proposal.

### Public highway impact as a result of business conducted from the site

- 6.6 The Council's Highways Manager raises no objections to the proposal.

- 6.7 It is appreciated that Heavy Goods Vehicles as well as tractors do visit the site regularly, as well as travelling to other farm businesses in the locality and therefore there will be a certain amount of pressure put onto the adjacent C1011 public highway. However the business is already established on site and the development subject to this application with the imposition of suitable conditions with regards to hours of work, artificial lighting and internal permanent access surfacing will help reduce existing pressures on the adjacent public highway.

**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 - A07 (Development in accordance with approved plans )**

**Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.**

- 3 - E02 (Restriction on hours of delivery )**

**Reason: To safeguard the amenities of the locality.**

- 4 - F09 (Sound insulation of plant and machinery )**

**Reason: To safeguard the amenity of the area.**

- 5 - F20 (Scheme of surface water drainage )**

**Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.**

- 6 - F32 (Details of floodlighting/external lighting )**

**Reason: To safeguard local amenities.**

- 7 - All potato boxes stored outside shall be retained within the designated area as indicated on plan ref. 319.401.C2C and shall be stored no more than eight boxes high.**

**Reason: In the interests of the visual amenity of the surrounding area.**

- 8 - F48 (Details of slab levels )**

**Reason: In order to define the permission and ensure that the development is of a scale and height appropriate to the site.**

- 9 - Prior to any development on site details will be submitted to the local planning authority and approved in writing of the external colour of the grading building and the building will be retained in this colour.**

**Reason: In the interests of the surrounding amenity.**

- 10 - The grading building as indicated on plan ref. 319.401.C2C shall be used for no other purpose than that of potato grading in relationship to the applicants own potato harvest. If the building is used for any other purpose, the prior written approval from the local planning authority will be obtained by the applicants or their successors in title.

Reason: In order that the local planning authority can control the use of the building in the interests of surrounding residential amenity.

- 11 - G04 (Landscaping scheme (general) ) – and shall include a mixture of native deciduous and evergreen plantings.

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

- 12 - G05 (Implementation of landscaping scheme (general) ) – construction of the buildings main frame.

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

- 13 - G07 (Details of earth works )

Reason: In order to protect the amenity of surrounding dwellings and the visual amenity of the surrounding countryside.

- 14 - All potato waste will be removed from site, and not disposed of on the perimeter of the farmyard. Full details with regards to disposal of potatoe waste will be submitted to and approved in writing by the local planning authority prior to any development on site.

Reason: In the interests of the amenity of the surrounding area.

- 15 - The grading store shall have provided from its entrance doors to the entrance to the site from the public highway a concrete driveway sufficient for Heavy Goods Vehicles to travel upon. This will be implemented prior to the first use of the building. Details will be submitted to and approved in writing by the local planning authority.

Reason: In the interests of the amenity of surrounding dwellings and to prevent debris being transported onto the adjoining public highway.

- 16 - The entrance door as indicated leading out of the existing workshop/grading area) on plan ref. 319.401.C2C shall be for emergency access only.

Reason: In the interests of public highway safety and residential amenity.

### **INFORMATIVES**

- 1 - HN01 - Mud on highway  
2 - HN02 - Public rights of way affected

- 3 - The Right of Way should remain open at all times throughout the development. If development works are perceived to be likely to endanger members of the public then a temporary closure order should be applied for from the Public Right of Way Department, preferably 6 weeks in advance of work starting.
- 4- The right of way should remain at its historic width and suffer no encroachment or obstruction during the works or any any time after completion.

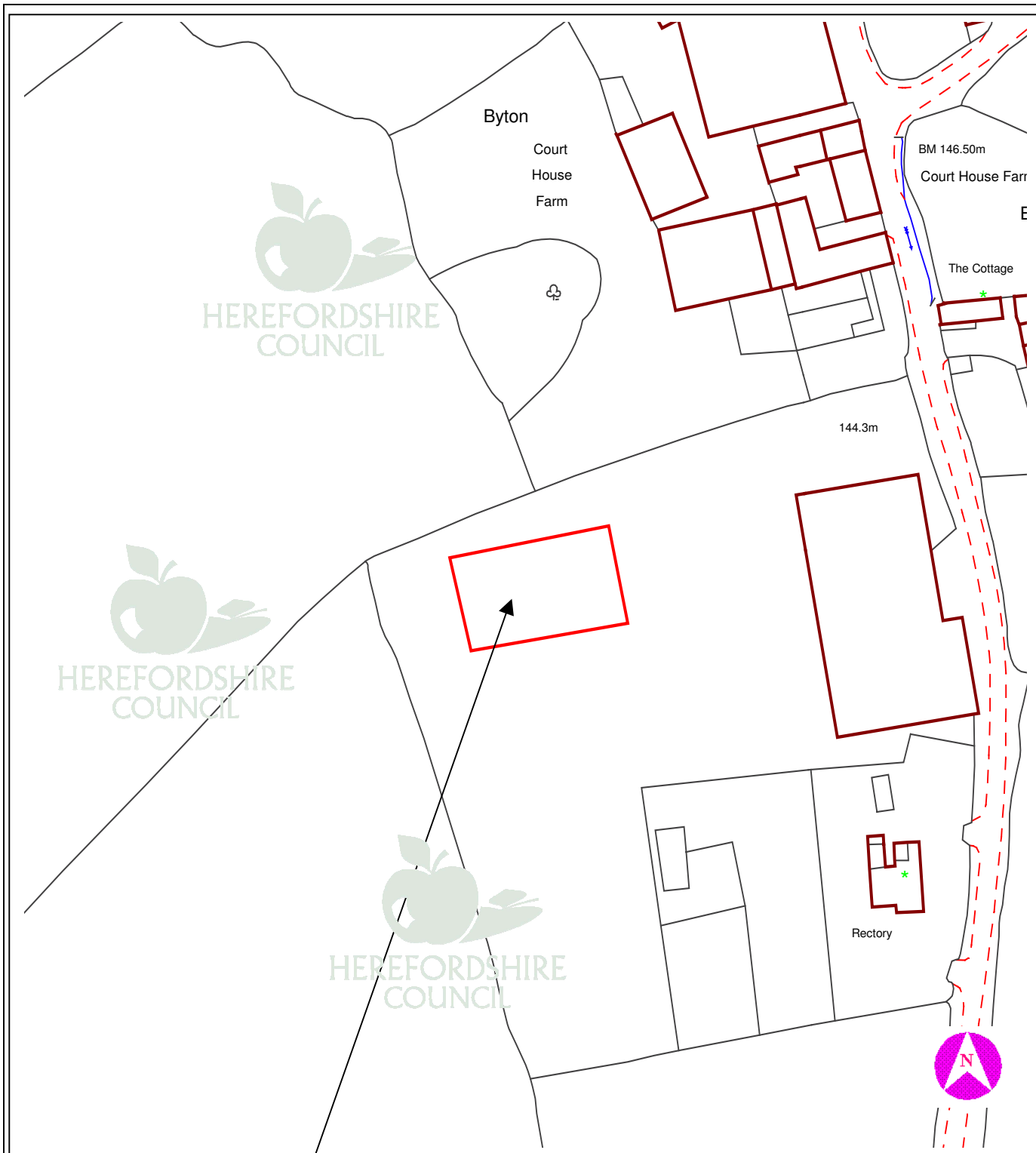
Decision: .....

Notes: .....

.....

### **Background Papers**

Internal departmental consultation replies.



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

**APPLICATION NO:** DCNW2006/1785/F

**SCALE :** 1 : 1250

**SITE ADDRESS :** COURT FARM, Byton, Presteigne, Herefordshire, LD8 2HS

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