

1 SE2003/1474/F - RETENTION OF FRUIT CLAMP. LAND AT UPPER MORASTON, BRIDSTOW, ROSS-ON-WYE, HEREFORDSHIRE**For: Mr P Symonds per Mr B S Hapgood, 96 Monnow Street, Monmouth NP25 3EQ****Date Received: 16th May 2003****Ward: Llangarron****Grid Ref: 5613 2608****Expiry Date: 11th July 2003**

Local Member: Councillor Mrs J A Hyde

1. Site Description and Proposal

- 1.1 The site is within open countryside, in planning policy terms and within the Wye Valley Area of Outstanding Natural Beauty. It lies in the southwest corner of a field, which is planted with fruit bushes, on the northern side of an unclassified road which runs between Dadnor and Lower Grove Common. The surrounding area predominantly comprises undulating agricultural land with sporadic, loose knit development. The natural land levels of the site slope downwardly from the southwest corner of the field to the east and northeast. A mature native hedgerow defines the boundary of the field with the unclassified road to the south with a post and rail fence and mature silver birch trees along the western boundary. There are converted rural buildings used as care homes situated some 44 metres to the west of the site. Access into the site is gained off the unclassified road (U71009).
- 1.2 Planning permission is sought retrospectively for a fruit clamp. At present the clamp has a concrete area of hardstanding of some 18.7 metres square with 3 metre high precast concrete panels to the north and east sides of the concrete pad. It is proposed to reduce the height of the concrete sides of the clamp to 1.8 metres (above the existing ground levels) and introduce earth bunds to the north and east sides of the clamp with hawthorn hedge planting on the bunds.

2. Policies**2.1 Department of the Environment**

PPG1	General Policy and Principles
PPG7	The Countryside: Environmental Quality and Economic & Social Development

2.2 Hereford and Worcester County Structure Plan

Policy CTC1	Area of Outstanding Natural Beauty
Policy CTC9	Development Criteria
Policy A3	Construction of Agricultural Buildings

2.3 South Herefordshire District Local Plan

Policy GD1	General development criteria
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Policy C1	Development Within Open Countryside
Policy C5	Development within AONB
Policy ED9	New Agricultural Buildings

2.3 Herefordshire UDP (Deposit Draft)

The Plan contains a number of policies which are relevant to the proposal. However it is considered that they do not raise any new issues that are not addressed in the Development Plan.

3. Planning History

- 3.1 SE2002/3756/F Retention of existing concrete clamp for storing and loading fruit - Refused 7.02.03.

4. Consultation Summary

- 4.1 Environment Agency - No comment.

5. Representations

- 5.1 Peterstow Parish Council - No objection.
- 5.2 Sellack Parish Council (adjacent Parish) - No objection.
- 5.3 Two letters of objection have been received, from M.A Bishop of 7 Monkton Place, St Weonards and Mr R.L and Mrs G.R Adams of Bradley Hirst, Flying Horse Lane, Bradley Green, Redditch. In summary the main issues raised are:
- Stable Cottage and Tithe Barn are both registered care homes and our daughter resides there.
 - The clamp is built on ground immediately in front of a cottage that I work at with young people with learning disabilities.
 - The single track to the property is not suitable for the amount and size of vehicles that will be going to the clamp. As the clamp has been there for a year we know the size of vehicles used, they are so large that they are eroding the sides and edges of the road. It is frightening and dangerous for our clients to be faced with such vehicles when we are walking on the road. Access from the site has poor visibility.
 - Siting, on skyline, is ill considered, can be seen for many miles and the clamp is ugly.
 - The clamp blocks the beautiful views from the house and gardens, depriving already disadvantaged residents the possibility of enjoying the surrounding countryside.
 - The increase in vermin and wasps so close to a home will have a detrimental effect on our residents, some of which have a horror of wasps in particular. The increase in number of wasps would mean that residents could not sit out and would have to sit inside with windows closed.
 - If it rains water will run onto the road making driving conditions more hazardous.
 - Understand that people have to make a living, but consider that the clamp should be relocated, maybe opposite the potato warehouse.
 - The clamp is placed in front of Stable Cottage and the work carried out there will have an impact on all our lives causing distress and uncertainty to our residents.

5.4 Letters have been received in respect of this application and the earlier application from Mr P Symonds, the applicant. The main points raised are:

- We farm 3 units, which are over 6 miles apart.
- Where the clamp is situated amounts to 162 acres, with no farm buildings.
- There are 3 accesses to the field, but if the clamp were sited at the other 2 it would involve hedge removal and development.
- All products from the site are harvested by machine and moved in bulk containers, therefore articulated lorries are needed. Turning areas are needed and the site chosen is ideal.
- We have planted a large belt of trees opposite the clamp.
- We are mindful that there is a need to reduce the amount of agricultural traffic. It is planned to use the clamp to load sugar beat onto lorries, which will go straight to the factory, thereby saving tractor and trailer movements.
- There is a need for a hardstanding where fruit can be cleanly and safely loaded.
- Not possible to site clamp next to Masons potato buildings, due to conflict with their lorries. Site opposite would involve grubbing out of at least 3/4 acre producing apple trees, removal of hedge and top soil.

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

6. Officers Appraisal

6.1 The main considerations in the determination of this application are the principle of the development, the effect on the character and appearance of the surrounding area, which is within the Wye Valley Area of Outstanding Natural Beauty, the impact on the residential amenity of neighbouring properties and highway safety.

6.2 Development required in connection with agricultural activities is one of the specified exceptions to the general policy of restraint in the open countryside, as set out in policy C1 of the South Herefordshire District Local Plan. Therefore the principle of the development is considered acceptable. Policies A3 of the Hereford and Worcester County Structure Plan and ED9 of the South Herefordshire District Local Plan relate to new agricultural buildings, but it is considered that the principles are applicable to the agricultural development proposed. These policies state that where possible new agricultural buildings should be sited adjacent to existing farm buildings and not in isolated or visually intrusive positions. Furthermore policies CTC1 and C5 of the Hereford and Worcester County Structure Plan and the South Herefordshire District Local Plan respectively require that new development in the Areas of Outstanding Natural Beauty should be small in scale and should either preserve or have a minimal adverse impact on the landscape.

6.3 An application to retain the existing fruit clamp, without modification, was refused planning permission in February 2003, under the Scheme of Delegation to Officers, due to its impact on the visual amenities of the area. Since the refusal of planning permission other sites have been considered but due to issues such as land ownership, accessibility and the prominence of these sites it is considered that none of these other options would be appropriate. The proposed scheme provides for the reduction in height of the concrete sides of the clamp, from 3 metres to a height of 1.8 metres. Earth bunding of 0.6 metres is proposed with hedge planting on top on the outside face of the concrete sides. Whilst the fruit clamp is not sited adjacent to farm buildings it is sited near and to the east of the traditional rural buildings, which have been converted to

provide residential accommodation. Taking into account the existing mature landscaping to the western and southern boundaries of the site, the proposed modifications to the fruit clamp and the introduction of earth bunding and planting the visual impact of the development would be satisfactorily mitigated so that the development would have only a minimal adverse impact upon the landscape and therefore would accord with the requirements of the relevant polices.

- 6.4 The fruit clamp is sited on agricultural land, with an existing access in the southwestern corner of the field. The agricultural use of the land is lawful and well established. The provision of the clamp is to enable picked fruit to be stored, collected and transferred into large vehicles to then be taken away from the holding. Although the clamp can be seen from the adjacent barn conversions due to its siting, height, design and orientation in relation to the barns it is considered that it would not overshadow or have an overbearing impact upon the residential amenity of occupants of the barns. With regards the potential for vermin etc it is considered that the provision of the clamp would not materially increase the likelihood of such nuisance in light of the agricultural use of the land. The Head of Environmental Health and Trading Standards has raised no objections.
- 6.5 As stated there is an existing access off the unclassified road into the site and the fruit clamp is situated in close proximity to this access. The unclassified road has a number of accesses off it into other fields. It is considered that the volume and nature of the traffic generated by the provision of the clamp, in comparison with the use of the access for the field would not be materially different to justify refusal on this ground alone. Furthermore the Head of Engineering and Transportation, response from Divisional Surveyor (South) has raised no objections to the development.
- 6.6 In conclusion it is considered that whilst the existing structure would have an adverse impact the proposal in its amended form is acceptable because it would only have a minimal adverse effect on the quality of the landscape, would not have a harmful impact upon the residential amenity of neighbouring properties or be detrimental to highway safety. As such the proposal would accord with the relevant policies of the Development Plan.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1 Within 3 months of the date of this permission the concrete walls of the clamp shall be reduced in height as shown on the approved plans (drawing number 1566-01).**

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

- 2 No plant, machinery or material other than agricultural produce, excluding silage, slurry or sewerage sludge, shall be deposited or stored in the fruit clamp hereby granted.**

Reason: To protect the appearance of the locality and the residential amenities of neighbouring properties

- 3 All planting, seeding or earth bunding comprised in the approved details of landscaping (site block plan) shall be carried out in the first planting and seeding seasons following the date of this permission, 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 defects period. Notwithstanding the details on the site block plan the approved hedging shall be planted in a staggered double row.

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

- 4 There shall be no floodlighting of the fruit clamp hereby granted.

Reason: To protect the appearance of the locality and the residential amenities of neighbouring properties

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.