

Application Number: DCSE2008/3036/F
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Comments on Applications DCSE2008/3036/F & DCSE2008/3040/F
Pennoxstone Court Farm, Kings Caple Herefordshire, HR1 4TX

Please note my objections to the above applications for the following reasons:

1. The proposals do not accord with Policy LA1 of the Unitary Development plan. LA1 provides that within the AONB development will only be permitted where it is small scale, does not adversely affect the intrinsic natural beauty of the landscape and is necessary to facilitate the economic and social well-being of the designated areas and their communities or can enhance the quality of the landscape or biodiversity. LA1 goes on to provide that exceptions to this policy will only be permitted when all of the following requirements are met:

- (a) the development is of greater national interest than the purpose of the AONB;
- (b) there is unlikely to be any adverse impact upon the local economy ;
- (c) no alternative site is available, including outside of the AONB; and
- (d) any detrimental effect upon the landscape, biodiversity and historic assets can be mitigated adequately and, where appropriate, compensatory measures provided.

It is obvious that the proposed development is not 'small scale' and equally obvious that it cannot be of greater national interest than the purpose of the AONB. On these criteria alone it therefore fails to comply with Policy LA1.

2. The polytunnels would seriously damage the landscape and conflict with national policies affording protection to the AONB.

The primary purpose of AONBs is to conserve and enhance natural beauty. AONBs share equal status with National Parks in terms of protection of scenic beauty and landscape. In his Inquiry Report of the Pennoxstone Court Enforcement Appeal (Kings Caple, January 2008 - paragraph 109) the Inspector stated in relation to polytunnels in fields adjoining some of those the subject of this application: 'mitigation planting would not overcome the harm to the landscape. I consider that the polytunnels in those fields conflict with the protection accorded to AONBs in national policies and with UDP LA1. I conclude that those polytunnels cause serious harm to the natural beauty of the landscape and the countryside of the Wye Valley AONB and that this harm is not outweighed by the acknowledged benefits.' The same considerations apply to all the polytunnels the subject of this application. The whole site lies in a meander of the River Wye and is overlooked by high ground immediately to the west, on which there are residences, roads and public footpaths. The photographs lodged by the applicant with his landscape and visual assessment make no attempt to show the visual impact of the polytunnels from the high ground on the opposite side of the river and the landscape assessment of this impact is not objective. As a consequence of the geographical position of the site it would not be possible to effectively mitigate the large visual impact of such a strikingly discordant and unnatural development by measures such as tree planting. This was a point also recognised by the Inspector in his Report referred to above.

3. Supplementary Guideline 2 of your Council's Poly tunnels Supplementary Planning Document approved in November 2008 states:

?It should be recognised that farm-scale polytunnels for commercial use is not normally an accepted form of development in AONBs. In such cases where development is proposed and where economic benefits are being weighed against landscape impact, priority will be afforded to protecting the natural beauty of AONBs?.

There is no good reason why this guideline should not be applied in this instance and this proposed development be deemed unacceptable in accordance with it. Priority can only be afforded to protecting the natural beauty of the AONB if that national interest it is recognised as outweighing the perceived economic benefits of this type of development (contrary to your Council?s irrational reasoning in the recent decision on the Homme Farm polytunnel application). To do otherwise would be to give priority to economic benefits.

Your Council has sought to use the Pennoxstone Inquiry Report, in relation to similar planning applications, as evidence that some agricultural polytunnel development is permissible within the AONB. This is a gross misrepresentation of the import of the Inspector?s decision. The only reason why the Inspector was obliged to allow that appeal in respect of some of the polytunnels was that they had become lawful by passage of time (four years) because your Council had failed to take enforcement action to prevent this happening. The two blocks of polytunnels for which he granted temporary permission (on account of one being next to the tunnels he deemed lawful and one because it was small and exceptionally well screened) he ordered to be removed within just two years, deeming it inappropriate to grant longer permission for such development.

4. The River Wye has designated status as an SAC and SSSI. Nevertheless its condition is recognised as ?unfavourable with no change?. Much of the reason for this arises from intensive agricultural practices including over-abstraction and leaching of nitrates and other fertilisers into the watercourse. The irrigation system for the proposed development is as yet unregulated trickle irrigation, with water pumped from the river and mixed with fertilisers before being applied to the crop. This substantial abstraction, together with other abstractions, has a cumulative effect that will prevent the river?s unfavourable condition improving because less water in the river means a higher concentration of fertiliser and other pollutants. In addition some of the fertiliser mixed with the abstracted water is bound to leach into the river. The applicant suggests that the run-off draining from the site is clean, but the impermeable plastic covering can only have the effect of worsening the run-off, particularly in heavy rainfall when heavily silted run-off from this type of development is all too apparent. It is wrong for the applicant to claim that this is a water-efficient method of growing. By covering the crop the natural irrigation by rainfall is excluded, necessitating undesirable abstraction. For the applicant to say, as he does, that this is alright as it has been going on for years is no excuse when the river is in a condition that begs for improvement.

Douglas Gardner

15 January 2008