

DELEGATED DECISION REPORT

APPLICATION NUMBER

163882

Land South of Penrhos Farm, Lyonshall, Kington,

CASE OFFICER: Hazel Nash
DATE OF SITE VISIT: 05/01/2017

Relevant Development

Plan Policies:

NPPF

Herefordshire Core Strategy

SS1

SS6

SS7

SD1

LD1

LD2

RA4

MT1

Relevant Site History:

150740 - Installation and operation of a solar photovoltaic system on the rooftop of three approved buildings (P133401/F) – approved with conditions.

133401 - Erection of 4 no. broiler buildings, agricultural storage building, 2 no. control rooms, 10 no. feed bins, hardstanding and access improvements and drainage attenuation pond – approved with conditions.

CONSULTATIONS

	Consulted	No Response	No objection	Qualified Comment	Object
Parish Council	√	√			
Transportation	√	√			
Land Agent	√		√		
Ecologist/Landscape Officer	√				
Hereford Wildlife Trust	√	√			
Neighbour letter/ Site Notice	√	√			
Hyder	√			√	
Local Member	√				

PLANNING OFFICER'S APPRAISAL:

Site description and proposal:

The site of the proposal is accessed from the southwest of the A44 along a farm track which serves as access to the four existing poultry units. The land is undulating with the poultry units themselves being situated at a considerably lower level than the A44. To the southwest of the units the land begins to rise with the farm track continuing upwards to the west of the current grassland.

This application is for the construction of a rural workers dwelling. The dwelling would be a detached three bed two storey "L-shaped" property with dual pitched roof and projecting gable. The dwelling would be situated in the southwest corner of the site overlooking the poultry units and finished in facing brickwork with painted timber framed fenestration and blue/grey natural slates. The principal elevation is proposed to face northeast towards the units.

Representations:

Welsh Water – 21/12/2017 – qualified comment – advise applicant contact Natural Resources Wales regarding the use of a private treatment works.

Ecology – 16/01/2017 - qualified comment – requests a relevant condition be included should the application be approved to provide wider biodiversity enhancements including consideration for bird nesting, support for local invertebrates & pollinators, hedgehogs, reptiles and amphibians. Set out below:

Prior to commencement of the development, and based on the supplied plans, a habitat enhancement scheme integrated with the detailed landscape scheme and a 10 year establishment/management plan, should be submitted to and be approved in writing by the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that all species are protected and habitats enhanced having regard to the Wildlife and Countryside Act 1981 (as amended), the Conservation (Natural Habitats, &c) Regulations 1994 (as amended) and Policy LD2 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework, NERC 2006

Informative:

The enhancement plan should include details and locations of any proposed Biodiversity/Habitat enhancements as referred to in NPPF and HC Core Strategy. At a minimum we would be looking for proposals to enhance further the bat roosting and in addition bird nesting and invertebrate/pollinator homes to be incorporated in to the new building as well as consideration for amphibian/reptile refugia and hedgehog houses within the landscaping/boundary features. No external lighting should illuminate any of the enhancements or boundary features beyond any existing illumination levels and all lighting on the development should support the Dark Skies initiative. The detailed landscaping scheme should include full details of planting and protection methods as well as a 5 year establishment & replacement scheme and a subsequent 5 year management plan.

Land Agent -10/02/2017 - The justification to have to be on site and the availability of suitable local housing has been clarified. There is accommodation in Kington but living and in my opinion the need for a dwelling on site is made. I have not been able to find a suitable property close to the site.

There is a problem obtaining good poultry managers due to the increase in demand caused by the number of new sheds and they prefer to live on site so that they are in a position to deal with any problems, any bonus will be dependent on the maximum number of birds reaching the killing age, and in the event of a crisis in a shed deaths can mount up very quickly. This also ensures that the 5 Defra requirements for animal welfare are covered.

Pre-application discussion:

None.

Constraints:

A44

HRA Screening Lugg

Surface water adj

SWS nearby

Ancient woodland nearby

Appraisal:

The proposal is assessed against relevant national and local planning policies set out in the National Planning Policy Statement (NPPF) and the Herefordshire Core Strategy (HCS). Of particular relevance are policies RA4, LD1, LD2, SD1 and MT1.

It is considered that the proposal satisfies the criteria set out under Policy RA4. The supporting statement accompanying the application along with the additional information submitted on Tuesday 8th February 2017 by email to the Local Planning Authority has been assessed in the context of the business and the business need for a full time worker to be on site. Accordingly, the proposal has demonstrated to the satisfaction of the land agent and the Local Planning Authority that (i) appropriate accommodation can not be provided elsewhere, whether in existing buildings or in proximity to the agricultural unit; (ii) the proposal satisfies an identified and functional need within the unit and (iii) the design is of high quality being both sympathetic and of appropriate scale for its surrounding environment and to the rural landscape.

The scale, height and proportion of the proposal is considered to be suitable and appropriate for its use and location. The design appears to be, at least from the principal elevation, reflecting local architectural style and vernacular. Thereby complying with Policy SD1 and LD1 of the HSC. In addition, the design of the proposal is suitable for the context and landscape in which it will sit. The details of the precise material finish and colour palette will require approval by the LPA in order to ensure that the dwelling conserves and enhances the countryside landscape in which it will sit. Accordingly, a condition to this effect is recommended.

Comments from the ecologist raise no objections to this proposal but require a habitat enhancement scheme integrated with the detailed landscape scheme and a 10 year establishment/management plan be submitted prior to the commencement of any works in order to ensure the protection and enhancement of biodiversity and geodiversity assets. It is considered that with suitable plans in place, the proposal is capable of conserving and restoring biodiversity and geodiversity, thereby complying with Policy LD2.

The existing access and track (to the southwest of the poultry units) leading to the corner of the proposed plot is considered to be adequate for the use of domestic use of a dwelling. Laying gravel to the element of vehicle access which is currently bare soil is considered suitable and is not considered to be detrimental to surface water runoff, complying with Policy MT1 and SD1.

RECOMMENDATION:

PERMIT



REFUSE



CONDITION(S) & REASON(S) / REASON(S) FOR REFUSAL:

(please note any variations to standard conditions)

C01

C07

C13

C65

C78

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Informatives

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations, including any representations that have been received. It has subsequently determined to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

CAK

CB2

CC2

CCB

I46

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The applicant is advised to contact the Environment Agency in relation to the proposed private treatment works.

H.A.N.H

Signed:

Dated: 10/02/2017.

TEAM LEADER'S COMMENTS:

DECISION:

PERMIT

☒

REFUSE

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M. Tan

Signed:

..... Dated: 13/2/17