

Item No: 2
Case No: 07/00138/FUL / W04046/15
Proposal Description: Erection of refrigerated apple cold storage unit and associated parking (RESUBMISSION)
Address: Hill Farm Orchards Droxford Road Swanmore Hampshire
Parish/Ward: Swanmore
Applicants Name: Hill Farm Orchards Ltd
Case Officer: Mr James Jenkison
Date Valid: 22 January 2007
Site Factors:

Recommendation: Application Permitted

General Comments

This application is reported to Committee because of the number of objections received (100). Swanmore Parish Council also recommended that the application go to Committee should it be recommended for approval.

Site Description

Droxford Road is a narrow country lane bounded by hedgerows, mature trees and embankments. A number of residential dwellings in the area are located close to the road.

The site is situated adjacent to the East Hampshire Area of Outstanding Natural Beauty and within the proposed South Downs National Park, and has a strong rural character defined by the rolling nature of the land, abundance of roadside hedgerows and trees, the dispersed nature of building groups and the location in the Meon Valley.

Hill Farm Orchards is a long established horticultural operation and its plantation trees form part of the wider landscape in the immediate locality. A complex of mainly modern farm buildings is located adjacent to the roadside, with mobile homes at the rear used for accommodating seasonal workers. The largest building, located at the rear of the group, was originally a packing shed and was substantially enlarged with planning permission in 1988, with a condition restricting its use to the processing of primary food products only. In the early 1990's the building was converted to a large food distribution centre operated by A.G. Axton. There is also an apple juice bottling plant operating from the site as well (Hill Farm Products Ltd.).

The land where the building is proposed is fallow agricultural land adjacent to the large building at the rear of the site. The land is flat and bounded to the east by a line of mature trees and hedgerows which delineates the boundary of the orchard and Axton complex from a neighbouring farm.

Proposal

The site is located on farmland to the rear of the Axton building and the land is owned by A.G.Axton (the independent distributor located on the site), with the applicant being Hill Farm Orchards.

The proposed cold store has an approximate length of 71 metres and an approximate depth of 31 metres, allowing a total storage capacity 2,236m². It will have a height of 9.8 metres above ground level. The building is proposed to be constructed of preformed steel.

22 car parking and 14 cycle parking spaces are to be provided.

Relevant Planning History

88/00531/OLD - Erection of single storey side extension to packing shed. PER 4th August 1988.

99/00538/APN - Steel framed agricultural storage building. PER 23rd April 1999.

03/01733/APN - Extension to existing agricultural/ horticultural building. PER 6th August 2003.

06/01748/FUL - Erection of refrigerated apple cold storage unit building and associated parking. REF 3rd August 2006.

Consultations

Engineers: Highways:

The proposed refrigerated apple store removes the need to transport existing fruit produced on the farm to and from other suitable stores located in Portsmouth and Kent, in addition to the need to transport the future increased crop levels envisaged as a result of changes to the varieties and growing methods.

The contents of the Transport Assessment assume all the existing refrigerated buildings located on the site will be used for the storage of fruit. In order to prevent the possibility of further traffic generation being created by these buildings, the Local Planning Authority may need to ensure that their use is restricted to ancillary storage to the main (proposed) building only, by applying a suitably worded condition.

The contents of the Transport Assessment explains that the proposed refrigerated apple storage unit will reduce the number of articulated heavy goods vehicles to and from the site. There is no reason to doubt these figures, which appear to be reasonable.

Mindful of the above, and subject to the suggested conditions discussed, the proposals will not generate a material increase in traffic or demonstrable harm to users of the adjoining highway network.

Hampshire Highways were consulted and confirmed that the use of the road by large articulated vehicles has caused continuous erosion of carriageway edges, creating potholes and bad dips and bank erosion. There has been erosion of road verges due to the constant mounting of the verges and footpath by vehicles in order to allow passing.

Landscape:

The belt of mature trees to the north-east does not adequately screen the site from views in the winter, gauged by the mass of the existing building, which is very intrusive from the north-east and the AONB. The added impact of an even larger building would be unacceptable and contrary to Policy CE5 and CE6, given that it is so close to the AONB.

Environmental Health:

Concern raised about the noise that would be generated by fans operating in association with the cold store. A condition is suggested to deal with the noise impact of fans on neighbouring dwellings (Condition 13).

South Downs Joint Committee:

Proposal supported in principle provided that it would only be used for the storage of fruit grown on the associated land. Objection expressed that siting may not allow sufficient planting to the north to adequately screen the site. Conditions relating to materials, colour, landscaping,

rainwater collection and external lighting are suggested (Conditions 2, 3, 4, 5, 6).

Representations:

Swanmore Parish Council object to the application because of the intensification of heavy traffic and because the project is unsustainable. If minded to approve, then a restrictive covenant considered essential.

100 letters received objecting to the proposal. The focus of the objections was that further storage space is not required on the site and would only increase the problems caused by the existing business, including:

- The narrow country lanes being unsuitable for the HGV's and the traffic dangers posed by these vehicles to local residents, especially as the lanes are enclosed by high banks and hedgerows.
- Dangerous road junctions with unsuitable sightlines and there are accident black spots.
- HGV's travelling up and down the lanes frequently 24 hours a day 7 days a week and preventing sleep and loss of amenity.
- HGV's damaging road verges and making it uncomfortable, dangerous and more difficult for pedestrians, cyclists and horse riders to travel along and causing flooding. Children crossing the road are particularly vulnerable. As there are no footpaths along these lanes pedestrians have to walk along the narrow lane and share it with vehicle traffic.
- HGV traffic has increased considerably in the past 3 years (trebled in 4 years) and drive at dangerous speeds above the 40mph speed limit.
- Noise disturbance from HGV's through use of air braking, engine noise, gear changing and wheel movements, engines left idling while HGV's wait at road junctions. Happens at all times of the day and night.
- Many HGV's are foreign registered and drivers get lost on the country lanes.
- Damage to homes and property (mainly as a result of vibration and because many buildings are historic), many of which are immediately adjacent to the lane.
- Wholesalers have proliferated in the past 10 years.
- Concern raised about the site being owned by A.G. Axton.
- Hill Farm already has adequate storage.
- The traffic is exacerbated by the nature of the operation because the HGV's deliver the produce and then depart and then shortly afterwards local lorries depart with the produce which has been delivered.
- These roads were built as country lanes for local traffic and are not wide enough for HGV's. Lorries have to mount the verge to pass one another and other vehicles.
- Concerns expressed that Hill Farm is expanding into an industrial estate and is inappropriately located for such activities. HGV traffic is extremely intensive.
- The building is extremely large.
- The traffic assessment produced by the applicant has been contested.

1 letter of support was received on the basis that it would eliminate unnecessary deliveries.

Relevant Planning Policy:

Hampshire County Structure Plan Review:

C1, C2, E6, E7, E8

Adopted Winchester District Local Plan Review 2006:

CE13

National Planning Policy Guidance/Statements:

PPS 7 Sustainable Development in Rural Areas

PPG 13 Transport

Supplementary Planning Guidance

Farm Buildings: A Design Guide for Hampshire

Planning Considerations

Principle of development

The principle of constructing buildings for the storage of farm products produced by a holding is acceptable, provided there is a demonstrable need.

Fruit storage requires refrigerated buildings in order to allow it to be stored for extended periods, including outside of season. It is accepted that additional storage to serve the holding is required.

It is important that the number of buildings on a holding is kept to the minimum necessary, as in this instance one of the buildings has already been turned over to an independent fruit distributor in 1992, and the site is unsuitable for general commercial activity. A condition (Condition 11) has therefore been recommended requiring the dismantling/demolition of the building should it cease to be required for the operations of the holding.

Design/layout

The proposed building has its shortest end facing over the agricultural field, thus minimising the profile of the building in oblique views from Droxford Road when the site is approached from the north. The building has its entrances facing away from the existing large building, resulting in a service yard facing towards the fields with a landscape buffer to screen views of the building.

It is evident from the existing building on the site (where the light coloured roof is the most visible element in views from Droxford Road) that the roof and sidewall elevation facing over the neighbouring field towards Droxford Road will be visible. The proposed building is large and the hardstanding associated with it is extensive. However, there are no close views of the building and even in winter months there is a level of screening from the existing hedgerow. Sheet metal cladding is able to be colour finished at the manufacturing stage and a juniper green colour scheme for the roof and north-east side elevation as well as landscape planting will achieve a high level of screening of the building from public viewpoints, even in winter months. This will ensure that, in winter time when trees are without leaf, the building will blend in with existing mature vegetation. Landscape re-inforcement will assist in ensuring this (Condition 2).

Landscape/Trees/ Rural Character

The building, as shown on the revised site plan, is set perpendicular to this boundary and 22 metres from it, allowing additional landscape planting at this important boundary. This addresses the concerns raised by Landscape and the AONB Panel. This will need to include indigenous tree species to thicken the landscape screening of the building and will allow a small copse to develop (Condition 3).

The application plans show tree planting within the large hardstanding area and along the south-east boundary. However, in this countryside location it would be more appropriate for a higher level of landscaping than is shown on the plans in order to reflect the countryside location of the site and to prevent extensive areas of visually unrelieved hardstanding from being formed.

Strong floodlighting at night can produce glare as well as reflection from building walls and hardstanding. This can undermine the rural character of a locality as the glow emanating from the site can be visible over a long distance and needs to be controlled (Condition 5).

Uncontrolled open storage may also be an issue, so a condition has been recommended restricting the type and height of material which may be stored in the open on the site (Condition 8).

Highways/Parking

The most important issue in relation to this proposal is the potential level of traffic that a building of this size could generate, particularly given that the proposed development will generate traffic in addition to the Axton operation. The Axton distribution business operates from a building that was previously associated with Hill Farm Orchards but this business has gained immunity from enforcement action as it has been operating from the site for longer than 10 years. The result is that the long-established orchard now generates large amounts of HGV traffic as a result of having to store its produce off-site and having to return it to the site for final distribution. The Council cannot insist that the existing building is used for the storage of fruit produced by Hill Farm Orchards.

The proposed apple store would reduce the amount of traffic by eliminating the need to store produce off site temporarily prior to final distribution.

Notwithstanding the current storage arrangements, additional traffic would be generated by the higher productivity that the orchard is hoping to achieve in terms of crop yields, and an increase in agricultural production lies outside the scope of planning control. However, even if productivity on the holding is increased, the provision of a new cold store would help to limit any increase in HGV traffic compared to the existing situation, which would mean that there would be a greater need to store fruit temporarily off-site before bringing it back for final redistribution. Because Droxford Road is an attractive country lane in an area of countryside/AONB it is essential that HGV traffic is kept to a minimum and that the proposed building, or any of the other farm buildings under the control of Hill Farm Orchards, is not used for commercial storage activity unrelated to the holding.

As the application site is in the ownership of A.G. Axton and because of the flexibility that permitted development rights allow in relation to ancillary activity, the most appropriate means to ensure that the existing building used by the holding and the proposed buildings of Hill Farm Orchards are used only for the storage of apples/produce from the orchard itself would be through a Section 106 Agreement.

Noise

The most significant impact on neighbouring properties will be the potential noise impact from HGV traffic moving to and from the site and the operation of the air conditioning units associated with the cold store.

The air conditioning units will be located inside the building ensuring that the building itself will act to shield noise, with the main entrances to the building facing away from residential properties in the locality.

The purpose of the application is to reduce the amount of HGV traffic travelling to and from the site and a Section 106 Agreement will secure this.

Neighbours Representations

Much of the existing traffic is either duplication from Hill Farm Orchards that should be reduced by the erection of the building proposed (if production is not increased – see above) or as the result of the Axton's operation which has gained immunity from enforcement.

By strictly controlling the use of the existing farm buildings and the proposed building of Hill Farm Orchards to the storage of produce from the orchard only, and assuming no increase in apple production, traffic levels from the site can be reduced to a more acceptable level and thus promote an improvement on the existing traffic situation.

Conclusion

The site has also been a large orchard operation and new buildings have been constructed (1988) in connection with the orchard operation which are now used by independent businesses. The impact of the size of the building on the landscape can be reduced to an acceptable level by the

planting of additional landscaping to the existing hedgerow and by controlling the colour of building cladding. The traffic situation along the rural Droxford Road is a matter of concern and a Section 106 Agreement, in addition to Condition 4, is considered necessary to restrict the amount of HGV traffic servicing the site in relation to Hill Farm Orchards due to the current level of activity on the site and the fact that the application site is owned by Axton's which is a general wholesale distributor.

Planning Obligations/Agreements

In seeking the planning obligation(s) for the restriction of the use of the proposed and existing buildings for the storage of apples/produce from the orchard only the Local Planning Authority has had regard to the tests laid down in Circular 05/2005 which requires the obligations to be necessary; relevant to planning; directly related to the proposed development; fairly and reasonably related in scale and kind to the proposed development and reasonable in all other respects.

Recommendation

Application Permitted subject to a Section 106 Agreement for the restriction of the use of the proposed and existing farm buildings for the storage of apples/produce from the holding of Hill Farm Orchards only and the following conditions:

Conditions

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

1 Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

2 Prior to work commencing on the site a scheme of details of the colour and finishes of all external surfaces of the building hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved within one month of the external surfaces being constructed and retained thereafter.

2 Reason: To ensure that the development presents a satisfactory appearance in the interests of the amenities of the area.

3 No development shall take place until details of both hard and soft landscape works and existing tree and hedgerow protection have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved within the first planting season of the substantial completion of the development or as otherwise agreed in writing by the Local Planning Authority. These details shall include the following, as relevant:

- means of enclosure, including hedgerow planting;
- other vehicle and pedestrian access and circulation areas;
- hard surfacing areas and hard surfacing materials;
- landscape areas.

Soft landscape details shall include the following as relevant:

- retention of existing trees and hedgerows;
- planting plans;
- written specifications (including cultivation and other operations associated with plant and grass establishment);
- schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate;
- schedule of plants for the re-inforcement of the existing hedgerow and new hedgerow planting;

- manner and treatment of watercourses, ditches and banks;
- implementation programme.

3 Reason: To protect the amenities of the countryside here and the rural character of the AONB.

4 The building hereby permitted shall only be used for the storage of agricultural products grown on the holding of Hill Farm Orchards Ltd. as detailed on drawing 07000 P 100-1 date stamp received 22 January 2007.

4 Reason: The site is located along a rural lane in an unsustainable location within the AONB and the use of the building for any purposes other than the storage of locally produced farm products would be detrimental to the amenities and character of the locality.

5 No floodlighting, either affixed to the building or freestanding, shall be erected on the site at any time without the written agreement of the Local Planning Authority.

5 Reason: The site is located along a rural lane in the AONB and the use of floodlighting would undermine the rural character of the locality.

6 Detailed proposals for the disposal of foul and surface water from the building and hardstanding shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted. The approved details shall be fully implemented before the development is first brought into use.

6 Reason: To ensure satisfactory provision of foul and surface water drainage.

7 No machinery shall be operated, no process shall be carried out and no deliveries taken at or dispatched from the site except between the hours of 0730 and 1900 Monday to Saturday and 0800 and 1400 on Sundays and Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.

7 Reason: To protect the amenities of the occupiers of nearby properties.

8 No outside industrial processes or working or storage of materials, vehicles, machinery or equipment (other than the storage of pallets related to the horticultural activities of the holding) shall be undertaken on the site at any time unless otherwise approved in writing by the Local Planning Authority.

8 Reason: In the interests of local amenities.

9 The storage of pallets on the site shall only occur adjacent to the south-west side elevation of the building hereby approved in an area marked out on the approved landscape plan for the site and shall not be stacked to a height greater than the eaves level of the building hereby approved. Should existing farm buildings become redundant for other purposes then the storage of the pallets shall be transferred to those buildings.

9 Reason: In the interests of the amenities of the locality.

10 No additional floorspace (including the installation of mezzanine floors) shall be created within the development hereby approved unless agreed in writing by the Local Planning Authority.

10 Reason: In the interests of highways safety and local amenity.

11 If the building hereby approved becomes redundant for agricultural or horticultural purposes associated with the holding then the building shall be dismantled or demolished and all resultant material removed from the site.

11 Reason: In the interests of the rural amenities of the locality.

12 The existing trees and hedgerow along the north-east boundary shall not be lopped, topped, felled or uprooted without the prior written approval of the Local Planning Authority. These trees shall be protected during building operations by the erection of fencing at least 6 metres from the tree trunks in accordance with BS 5837.

12 Reason: To retain and protect the trees which form an important part of the amenity of the area.

13 Details of the air conditioning and ventilation of the building (including noise levels) shall be submitted to and approved in writing prior to the commencement of work on the site. No air conditioning or ventilation shall be installed other than in accordance with the approved details.

13 Reason: To protect the amenity of adjoining residential properties.

Informatives:

This permission is granted for the following reasons:

The development is in accordance with the Policies and Proposals of the Development Plan set out below, and other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.

The Local Planning Authority has taken account of the following development plan policies and proposals:-

Hampshire County Structure Plan Review: C1, C2, E6, E7, E8
Adopted Winchester District Local Plan Review 2006: CE13

Note to applicant: Should any of the existing farm buildings on the site become redundant for farm purposes of the holding, planning permission is unlikely to be granted for the change of use of the building.