

Breinton Parish Council

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Ollie Jones
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Sent via email to Ollie.Jones@herefordshire.gov.uk

Dear Mr Jones

PA 193578 Banbh Farm, Breinton, Hereford HR4 7PP

Breinton Parish Council stands by its objections to PA 190839 (18 April 2019) and PA183055 (18 October 2018), both of which are attached for ease of reference, **and wishes to OBJECT to this current and third application for the erection of an agricultural barn at this site.** The council endorses the other objections already received from National Trust, Herefordshire Council's Landscape Officer (Mr O. Jones) and local residents, and fully supports the requirement from Natural England for the submission of a Habitats Regulation Assessment.

The application fails to comply with several Breinton Neighbourhood Development Plan policies:

- B7 (...) Promoting agricultural development that protects the environment
- B10 Moving around Breinton
- B11 Green Infrastructure
- B14 Protecting the Landscape
- B15 Local Distinctiveness

Consequently, it is also non-compliant with relevant policies in the Local Plan Core Strategy and the National Planning Policy Framework (2019).

Whilst councillors recognise that the footprint of the proposed barn has now been considerably reduced, and re-aligned by 90 degrees, it remains an over-large structure for the site; and this concession by the applicant on a single element of the council's earlier objections does not in any way mitigate the negative impacts of all other reasons for objection, including the retained 6.6m height of the proposed barn in such a sensitive location.

Councillors consider that the ~40% reduction in the footprint of the proposed barn ought to have entailed a revised Business Plan: no such plan has been submitted. Indeed, the only Business Plan ever submitted, with the subsequently withdrawn PA183055, was wholly inadequate and is in any case now redundant because it purported to justify a significantly larger barn: councillors are puzzled as to why a structure of that size was proposed in the earlier application.

As with the two previous proposals, this barn is quite simply the wrong kind of development in the wrong place. The Council has been advised by local beef farmers operating a variety of different farming models that the proposal for Banbh Farm is not financially viable in agricultural terms. The site is too small and the grass of

insufficient quality to sustain the cattle numbers outside for any length of time, even without cutting for forage or grazing additional sheep as is now being proposed. In addition, major parts of the site are demonstrably subject to periodic flooding, reducing its grazing potential even further. The council is also advised that cattle will require large amounts of basic feed to be trucked in over an 18 -month period in addition to the silage/cake which would be necessary to 'finish' them. This makes no economic sense; nor is it consistent with the parish's and the county's declaration of climate emergency.

Councillors continue to assert that any possible economic or public benefit from the proposal is outweighed in the necessary Planning Balance assessment by inevitable environmental harm. Based on the site's 'planning history' and this unjustified agricultural proposal it would be reasonable to wonder might not the applicant be setting up the proposal to fail in due course, thus enabling a future 'change of use' application for residential dwelling(s) perhaps always intended. This would be contrary to Neighbourhood Development Plan policy B1

Just as there is no economic case for approving this barn there is a strong environmental case against it. The council is deeply concerned that there is still no clear plan for the disposal of animal waste slurry. The site is in a Nitrate Vulnerable Zone adjoining the River Wye SAC/SSSI and includes a Flood Zone 3 floodplain. Phosphate levels on this stretch of the river remain close to the legal capacity limit and the nearby north-flowing Cage Brook tributary has recently exceeded that limit. It would be impossible to avoid detrimental run-off into the River Wye from any on-site dispersal of waste.

In addition to slurry – the proposed barn will require regular scraping down – there is absolutely no information about the separation, storage, treatment and disposal of 'clean' rain water falling on the building and potentially contaminated waste water that has fallen on the yard. Regulations require all three materials to be kept apart – potentially in large storage tanks – for which there is little room on site. There is probably no potential whatsoever to spread the materials on site without guaranteeing that effluent can be kept out of the river either directly or through the soil.

Following separate storage (unspecified), off-site waste disposal would consequently entail significant transport vehicle movements through the very narrow and twisting lanes that permit access to the site. Given the requirement for these and numerous other large vehicle movements associated with the proposal, such as feed stuffs referred to above, councillors are especially troubled by the Transportation Department's 'No objection' response which focuses solely on the immediate access and visibility splays at the site itself.

To say that the proposed development "will not result in a cumulative impact on the highway which could be classed as severe when taking into account the current use of the site" is totally misleading. Any access to Banbh Farm is via C class and/or unclassified roads. The volume of unsuitable vehicles regularly using quiet, twisting, poorly surfaced lanes, whose current speed limit is 60mph, will increase dramatically. These are lanes used by local dog walkers, cyclists, runners, horse-riders and recreational walkers on the Wye Valley Way.

Because it is marked on the earliest OS map and the Tithe Map **the removal of a considerable length of roadside hedge would be in breach of its protected status under the Hedgerow Regulations.** Its removal is 'justified' by the facilitation of access for large vehicles to the site: this disregards the loss to landscape heritage. Just to the east of the field gate to the site is a further historic landscape feature, a 'hollow-way' whose margin would also be detrimentally affected by the hedgerow's removal.

The council is concerned to note that the **Application Form includes several factually incorrect answers,** evidently either careless responses or designed to mislead:

Q9 *Is vehicle parking relevant to this proposal?* Answer given: 'No'

Answer should be 'Yes'. Access and parking area are shown on plan, presumably for transportation of stock, feed delivery and waste/slurry removal

Q10 *Are there trees or hedges on the proposed development site?* Answer given: 'No'

Answer should be 'Yes'. The site contains trees and hedges on all four sides (including the river frontage)

Q11 *Is the site within an area at risk of flooding?* Answer given: 'No'

Answer should be 'Yes'. The entire lower part of the site is Zone 3 flood plain which floods regularly in autumn and winter, also at times in spring in summer.

Q12 *Biodiversity and Geological Conservation. Is there a reasonable likelihood of the following being affected adversely (...) within the application site, or on land adjacent to or near the application site?*

a) *Protected and priority species*

Answer given: 'No'

Answer should be 'Yes'. Nesting peregrines, red kites, buzzards and sparrow hawks; lesser-spotted woodpeckers, barn owls and other threatened species are all known to be present "within, adjacent to or near the application site".

b) *Designated sites, important habitats or other biodiversity features*

Answer given: 'No'

Answer should be 'Yes'. The site is immediately adjacent to the River Wye SAC/SSSI and near to Red Rocks, a RIGS-designated (geological) site. It is near and within the setting of the Scheduled Monument (NH List Entry 1001756) at Eaton Bishop Camp.

Yours sincerely

Emily Godsall

Clerk, Breinton Parish Council