

MEETING:	PLANNING AND REGULATORY COMMITTEE
DATE:	25 JULY 2018
TITLE OF REPORT:	<p>180256 - PROPOSED CAMP SITE AND TEMPORARY DWELLING. THIS IS AN AMENDED APPLICATION THAT IS A RESUBMISSION OF APPLICATION NO. 172848 REFUSED 6TH OCTOBER 2017 AT PLAYFORD, MUCH MARCLE, LEDBURY, HR8 2NN</p> <p>For: Mr And Mrs Rennick per Mr Christopher Knock, Tinkers Grove Cottage, Eastnor, Ledbury, Herefordshire HR8 1RQ</p>
WEBSITE LINK:	https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=180256&search=180256
Reason Application submitted to Committee – Redirection	

Date Received: 23 January 2018

Ward: Old Gore

Grid Ref: 366869,232421

Expiry Date: 2 April 2018

Local Member: Councillor BA Durkin

Update

This application was deferred by the Planning and Regulatory Committee at its meeting on 27 June 2018 for the following reasons:

- To seek clarification as to the specification of the proposed temporary dwelling
- To enable Officers to clarify the extent of the required visibility splay and whether this could be achieved on land within the applicant`s control and/or highway.

In response to these matters, the applicant has provided additional information and updated plans identifying the extent of the hedgerow removal (with a recommendation for translocation). These revised plans have been the subject of re-consultation with the Transportation Manager and Conservation Manager (Ecology) and their respective comments where available at the time of writing are set out in summary within this Update section and in full within the Consultation Summary below.

In relation to the temporary dwelling, the applicant has confirmed that the main accommodation will be in the form of a twin unit caravan (20 metres by 6.8metres) with an internal ceiling height of 3.05 metres or less (2.5 metres as proposed). These comply with the amended definition of a caravan as set out in the Caravan Sites Act 1968 and Social Landlords (Permissible Additional Purposes) (England) (Definition of Caravan)(Amendment) Order 2006. The twin unit complies with the maximum floor area dimensions and would be delivered in two sections that are bolted together on site. In the context of the Planning Committee`s deliberations, it would constitute a caravan that

could be readily removed and as such a temporary permission would be a reasonable and enforceable approach to controlling its long term siting.

However, in addition to the twin unit caravan, the proposal includes a veranda which would be constructed on site and attached to it. This affords the twin unit a degree of permanence that in legal terms exceeds the definition of a caravan. The applicant has advised that the veranda is an important feature in respect of their passive heating aspirations. This element of the accommodation requires very careful consideration since although it could be relatively easily dismantled, it would constitute operational development, and could result in legal complications. Officers would not generally recommend the use of temporary permissions in relation to more permanent structures.

Turning to the visibility splay and loss of hedgerow the applicant has provided a revised plan that avoids third party land. The plan shows that visibility of 103 metres to the edge of the carriageway and 130 metres to the centre line of the highway to the north and 123 metres to the edge of the carriageway and 133 metres to the centre line of the highway to the south can be achieved. Accordingly the visibility to the south can be achieved by the removal of approximately 370 metres of species rich established hedgerow. Visibility to the north does not meet the desired distance to the edge of the highway. The Transportation Manager has been re-consulted in respect of the revised proposal and in particular whether the distance to the centre of the highway is an acceptable compromise in relation to the northern visibility splay.

At the time of writing these comments they had not been received and as such will form part of an update.

The Ecologist has maintained an objection to the extensive loss of existing hedgerow but in the event that the Committee is minded to approve the application, would recommend that translocation is carried out in accordance with the details provided and subject to an appropriate condition. A further detailed objection from Mr Marsden has been submitted in respect of the hedgerow and this is summarised in the Representations section below.

The content of the original report has been updated but the recommendation remains one of refusal with the additional reason included from the previous Schedule of Updates.

1. Site Description and Proposal

- 1.1 The site comprises an undeveloped parcel of agricultural land located in an open countryside. The site retains its original field pattern and most of the key characteristics of its landscape character type; Principal Timbered Farmlands. The site is outside of and some 800 metres from the edge of nearest identified settlement in the local plan. Much Marcle, identified under Core Strategy policy RA2, is located to the west. The site forms part of the open countryside which is a gateway to the county and sits between, although outside two Areas of Outstanding Natural Beauty, the Malvern Hills and Wye Valley Areas of Outstanding Natural Beauty (AONB).
- 1.2 The site adjoins a Grade II listed thatched cottage. The application site provides an important setting to this designated heritage asset.
- 1.3 The proposal is described as a campsite and temporary dwelling and is a revised submission following the refusal of a similar application (P172848/F refers). In more specific detail, the proposal includes the following elements:
 - 10 pitched for tents
 - 5 permanent cabins
 - 5 shepherds huts

- 20 car parking spaces
- 1 three bed temporary dwelling
- Garage/ workshop
- 1 hub communal building
- Amenity building
- Toilets, showers, wash room, together with a camp kitchen
- New access arrangements featuring stoned drive (revised since the original submission)
- A package treatment plant and SUDS drainage system

1.4 In addition to the details provided following the deferral of this application, the applicant has provided a comprehensive package of supporting documentation. The concept of the proposal is to create a sustainable tourism site with a focus on permaculture, education (teaching traditional camping skills, sustainable food production and the principles of a sustainable lifestyle) together with promoting social interaction amongst guests. The submission also includes extensive landscaping proposals (including hedgerow and tree planting and the establishment of a wildflower meadow) and is accompanied by supporting documentation as follows:

- Summary/Steps to Date (including Justification and Sustainability Statement, Explanation of Permaculture, an Education Plan and an extract from a study on the Role of Ecotourism in Sustainable Development)
- Business Plan (including 5 year Forecast and Explanation)
- Arboricultural Constraints Report
- Site Management Plan
- Camping Tourism and Sustainability Statement
- A Planning Policy and Low Impact Development Report
- Visual Impact Assessment (entitled Landscape and Views)
- Transport Travel and Parking Report (subsequently supported by a Traffic Survey Report and Response to Area Engineers Objection)
- Foul and Surface Water Drainage Strategy
- Flood Risk Assessment
- Protected Species Survey

1.5 The reports can be viewed in the Supporting Documents section on the Council's website via the link below:

https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=180256

2. Policies

2.1 The Herefordshire Local Plan Core Strategy policies together with any relevant supplementary planning documentation can be viewed on the Council's website by using the following link:-

- | | | | | | |
|-----|---|--|-----|---|----------------------|
| SS1 | – | Presumption in favour of sustainable development | SS2 | – | Delivering new homes |
| SS3 | – | Releasing land for residential development | | | Policy |
| SS4 | – | Movement and transportation | | | |
| SS5 | – | Employment provision | | | |
| SS6 | – | Environmental quality and local distinctiveness | | | |
| SS7 | – | Addressing climate change | | | |
| RA1 | – | Rural housing distribution | | | |
| RA2 | – | Herefordshire's villages | | | |
| RA3 | – | Herefordshire's countryside | | | |
| RA6 | – | Rural Economy | | | |
| MT1 | – | Traffic management, highway safety and promoting active travel | | | |

- E4 – Tourism
- LD1 – Landscape and townscape
- LD2 – Biodiversity and geodiversity
- LD3 – Green infrastructure
- LD4 – Historic environment and heritage assets
- SD1 – Sustainable design and energy efficiency
- SD2 – Renewable and low carbon energy
- SD3 – Sustainable water management and water resources SD4 – Waste water treatment and river water quality

2.2 Neighbourhood Development Plan

The Much Marcle Neighbourhood Development Plan (MMNDP) was the subject of a positive Referendum on 12 July 2018. The policies contained within the Plan can now be afforded full weight.

The following policies are considered relevant to the determination of the application:

- SD1 – Sustainable Development
- HO1 – Delivery of High Quality Housing
- HO4 – Housing sites Outside Much Marcle Settlement Boundary
- EM1 – Employment and Economy
- NE1 – Landscape
- NE2 – Biodiversity
- TI1 – Transport Infrastructure and Public Access

2.3 National Planning Policy Framework (NPPF)

Achieving sustainable development
 Supporting a prosperous rural economy
 Promoting sustainable transport
 Requiring good design
 Conserving and enhancing the natural environment
 Conserving and enhancing the historic environment

2.4 National Planning Policy Guidance

2.5 The Core Strategy policies together with any relevant supplementary planning documentation can be viewed on the Council's website by using the following link:-

https://www.herefordshire.gov.uk/info/200185/local_plan/137/adopted_core_strategy

2.6 The Neighbourhood Development Plan can be viewed on the Council's website by using the following link:-

<https://www.herefordshire.gov.uk/directoryrecord/3090/muchmarcleneighbourhooddevelopmentplan>

3. **Planning History**

3.1 P172848/F Proposed campsite and temporary dwelling. Refused 5 October 2017

4. **Consultation Summary**

Statutory Consultations

4.1 Severn Trent raises no objection commenting:-

As the proposal has minimal impact on the public sewerage system I can advise we have no objections to the proposals and do not require a drainage condition to be applied.

4.2 Welsh Water comments as follows:-

As the applicant intends utilising a private treatment works we would advise that the applicant contacts Natural Resources Wales who may have an input in the regulation of this method of drainage disposal. However, should circumstances change and a connection to the public sewerage system/public sewerage treatment works is preferred we must be re-consulted on this application.

Internal Council Consultations

4.3 Transportation Manager

Comments on Original Plans

I have significant concerns regarding this application and the implication on pedestrians, cyclists and the site access. The site is located 1km from Much Marcle and the nearest bus stop is also located within Much Marcle village (adjacent to Glebe Orchard).

To reduce the need for private vehicles the site promotes using the bus, however this requires walking the 1km into Much Marcle on a highway network which doesn't have any footways and verges are limited, this is especially significant around the Dobbins Pitch area which has no verges and high hedges adjacent to the carriageway. Whilst the submitted documentation reviews the sustainable transport provision, it fails to review the implications of pedestrian movements. It is noted that the site would provide a mini bus to get passengers to and from the bus stop; however this would increase the vehicle movements from the site and may result in campers feeling that it is easy just to take the car the full distance as it would provide greater flexibility both in terms of travel time and time available at the destination. Campers may not want to use the mini bus provision preferring to walk into Much Marcle to use the community facilities e.g. public house and memorial hall for community events. Campers may also wish, once in Much Marcle to walk to the post office/shop, therefore increasing the number of pedestrians crossing the A449, which is a busy and fast road.

Below is the bus data for the buses which service the Much Marcle - Glebe Orchard stop. The total travel time should be taken into account as the undertaking of certain services is roughly to total time available as the destination, once again the campers may decide that it's easier and more flexible to use a private vehicle, therefore increasing the number of cars both on the highway and using the access.

<u>Buses</u>	456 Service - Hfd (Thurs)	459 Service - Ross (Tues)	478 Service - Hfd (weds)	479 Service - Led (Tues)
Leave MM (Glebe Orchard).	09:32:00	09:47:00	10:30:00	10:30:00
Arrives Dest	10:40:00	10:12:00	11:35:00	11:10:00
Leaves Dest	13:00:00	12:30:00	14:15:00	13:30:00
Arrives MM (Glebe Orchard).	14:18:00	12:57:00	15:14:00	14:10:00
Time in Dest (hrs)	02:20:00	02:18:00	02:40:00	02:20:00
Total travel time (hrs)	02:26:00	00:52:00	02:04:00	01:20:00

Further information on the subject of this report is available from Mr S Withers on 01432 260612

The provision of a bus stop adjacent to the site would not be an option as there would not be enough space within the highway to allow the appropriate bus stop facilities to be provided e.g. hard standing. It would also require having significant numbers and frequency of passengers to warrant the provision.

Cycling routes - There are no official cycle routes within the Much Marcle area, the site wishes to promote cycling as part of the holiday experience, this therefore increases the number of cyclists on B road. The B4024 is used as a cut through from B4215 and is subject to a national speed limit. No volume survey has been provided as part of this or previous application, therefore a review of increasing the number of cyclists on the B road network has not been undertaken. The nearest official cycle route is near Ledbury, and would require transporting of cyclists and cycles to Ledbury.

We would not support the use of "family bikes"/rickshaws as they would need to undertake a right hand turn to/from the site across the carriageway, they would be the size of a small car but wouldn't have the acceleration to react to any evasive manoeuvre if required, and it is felt they are not appropriate for the highway network around the site and are more use within a city or town setting. A pedalled rickshaw can be driven by anyone, without the need for a driving licence. Rickshaws and bikes may require waiting as they turn into the site; this would mean cyclists/rickshaw would be at risk of a collision from vehicles heading north.

Site access

The proposed location of the site access raises a number of issues. Firstly no speed data has been provided as part of this or previous application, therefore no assessment of the speed of the road has been undertaken. The road is subject to a national speed limit, therefore using the type of road and the signed speed limit (60 mph) the visibility splays would require a minimum distance of 200m, in both directions. The visibility splay would therefore not be able to be provided within land which is owned by the applicant and would require significant amounts of hedgerow removal. Forward visibility is also a concern especially in regards to cyclists, this has not been assessed.

As the concerns highlighted above show, I cannot look to support this application. Core strategy policies MT1 and SS4.

Comments on Revised Plans/Additional Information

The submitted speed survey recorded speeds of 43 mph in a northwest direction and 45.8 in a south east direction, as the speeds recorded are higher than 37.2 mph, the highest visibility splay distances are required. The speeds equate to 116.4m and 129m respectively. The provision of the visibility splays require a large section of hedgerow to be removed to the south, while the visibility splay to the north goes over land which is not in either highway land or land owned by the applicant. The removal of large sections of hedgerows can increase speeds as vehicles on the carriageway can see further.

The submitted information has not removed my concern about this site as stated previously.

Comments following deferral

Comments awaited

4.4 Conservation Manager (Landscapes)

Comments on Original Plans

The proposal will necessitate a variety of works which will result in the introduction of built form, access tracks and amenity landscaping; this in my view will result in significant change to the landscape at a local level. Given that the site is surrounded by an essentially natural landscape, representative of its type and forms one of the gateways to the county, this in my view renders it medium to high sensitivity. I am not convinced that such a scheme respects the inherent landscape character and neither am I satisfied the adverse effects of such a proposal can be fully mitigated within the landscape. The proposal is therefore not considered compliant with policy LD1 of the Core Strategy.

Comments on Revised Plans

It is my understanding that the proposals have been amended to ensure that hedgerow trees can be retained, this is welcomed, however the landscape objection to the principal of the development upon this site still stands.

4.5 Conservation Manager (Heritage)

Recommendations: Provided reasonable care is taken over the landscaping of the scheme, it is not felt that the proposals would harm the setting of designated heritage assets.

Background to comments.

To the immediate NW of the site lies 'Playwood' (the cottage known as Playford), a Grade II listed C18 timber framed thatch cottage, set within a rural location. Provided reasonable care is taken over landscaping it is not felt that the scheme would adversely impact the setting of this building.

500m to the NW of the site lies a group of Grade II listed farm buildings and farm house at Great Moor Croft Farm. It is not felt that the setting of these buildings would be affected by the proposals.

1km to the NW of the site lies Hellens, an unregistered park and garden and Grade II* C16 house altered in the c18. Due to the intervening distance it is not felt that the setting of the buildings would be affected by the proposals.

800m to the W of the site lies the Conservation Area of Much Marcle and several listed buildings including the church. There is no statutory protection for the setting of a conservation area, although case law allows this to be considered. It is not felt that the setting of the conservation area or listed buildings within it would be affected by the proposals.

4.6 Conservation Manager (Trees)

Comments on Original Plans

I do have concerns regarding the impact the proposed design has on the existing trees which are located North – North East of the site.

The proposed parking area located adjacent to trees 3 & 4 as listed in the tree constraints plan will encroach significantly into their Root Protection Area (RPA) & put undue stress on both trees.

Even if no dig methods were to be used here it is still my opinion that the constraints on the trees would be too great. The amenity building to the south of the parking spaces also encroaches with the RPA of trees 5 & 7; my concerns for these trees are the same as for T3&4.

Ultimately I do not think that the design is sympathetic to the green infrastructure, it puts unnecessary pressures on the existing trees and is contradictory to policies LD1 & LD3 of the Herefordshire Local Plan.

They are specimens of high amenity value and should be treated as key assets rather than obstructions which appear to be the case.

I therefore object to the application.

Comments on Revised Plans

I am pleased to see that that my reasons for objection have been considered and alterations have been made to facilitate the retained trees on the boundary of the site.

As the amended plans have significantly less impact I no longer have any objections.

Details outlined in the tree report regarding tree protection will be adhered to throughout development. These details will be conditioned.

Condition:

Except where otherwise stipulated by condition, the development shall be carried out strictly in accordance with the following documents and plan: Tree Survey and Arboricultural Constraints Report – Jerry Ross Consultancy.

Reason: For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and to comply with LD1 & LD3 of the Herefordshire Core Strategy.

C88 G03.

Comments on Revised Access (with visibility splay requirements recommended by Transportation Manager)

4.7 Conservation Manager (Ecology)

Thank you for consulting me on this application. My comments on the original application are still valid concerning this one in relation to ecology. The ecology report is still acceptable and I would propose that you include the same conditioning regarding the recommendations of this report as follows:

The recommendations set out in Section 7.1 the ecologist's report from Protected Species dated March 2017 should be followed unless otherwise agreed in writing by the local planning authority. Prior to commencement of the development, a habitat protection and enhancement scheme should be submitted to and be approved in writing by the local planning authority, and the scheme shall be implemented as approved.

An appropriately qualified and experienced ecological clerk of works should be appointed (or consultant engaged in that capacity) to oversee the ecological mitigation work.

Reasons:

To ensure that all species are protected having regard to the Wildlife and Countryside Act 1981 (with amendments and as supplemented by the Countryside and Rights of Way Act 2000), the Natural Environment and Rural Communities Act 2006 and the Conservation of Habitats and Species Regulations 2010 (and 2012 amendment).

To comply Herefordshire Council's Policies LD2 Biodiversity and Geodiversity, LD3 Green Infrastructure of the Herefordshire Local Plan Core Strategy 2013 – 2031 and to meet the requirements of the National Planning Policy Framework (NPPF).

Comments on Revised Access (with visibility splay requirements recommended by Transportation Manager)

There are no tree issues - only a small, scrubby ash in the hedgerow.

However, the amount of hedge would require translocating/replanting is extensive and I would be concerned about the biodiversity impact of its removal, however, temporary for bats commuting and as habitat nesting birds. In a quick inspection of the woody species in the hedge, I believe the hedgerow would constitute a species rich, potentially an Important Hedgerow.

In addition, the removal of hedge which is out of the applicant's ownership I suggest is a significant factor.

Comments following deferral

Thank you for providing the information regarding hedgerow translocation at this site. If the committee are minded to approve this application I would advise that the hedgerow translocation as document is fully implemented. I examined the hedgerow on 21st June and I judge that the removal of this section will be a very extensive impact upon the biodiversity status of the site and its environs akin to felling a broadleaved copse of some 400 m² with all its nesting bird and protected species potential. The necessity for this unavoidable from the road safety perspective but it is a shame to have to undertake this for what is a sustainably themed project. There is also a potential to damage roadside flora and plant communities which should be avoided.

I would add that these comments are additional to those already sent based on the ecological report.

4.8 Land Drainage (Balfour Beatty Living Places)

Surface Water Drainage

The following has been stated by the Applicant: *infiltration techniques are not a viable option, thus an attenuation area of 203m³ has been proposed in the lowest section of the site (southeast). This is able to cope with the 1 in 100 year + 30% climate change event. The water will be pumped to a secondary pond (50m³) (at approx. 5l/s/ha) on the southern boundary of the site. Discharge from the second pond will outfall (under gravity) to roadside drainage along the northern side of the highway with final outfall to a watercourse (60m downstream).*

We do not consider the use of pumped drainage systems to be sustainable. The Applicant should discuss with the adjacent landowner whether an outfall across the adjacent field can be achieved to allow direct discharge to the watercourse (to the southeast of the proposed development site). An easement will be required. The same situation arises for disposing of treated effluent.

The Applicant should provide a surface water drainage strategy showing how surface water from the proposed development will be managed. The strategy must demonstrate that there is no increased risk of flooding to the site or downstream of the site as a result of development between the 1 in 1 year event and up to the 1 in 100 year event and allowing for the potential effects of climate change. Where possible, betterment over existing conditions should be promoted.

The surface water and foul drainage strategy states that the Applicant shall have sole responsibility for undertaking works in the strategy document, including ongoing maintenance of any drainage measures.

Foul Water Drainage

The following has been stated by the Applicant: *the foul drainage strategy has been based on the assumption of 3 residential users and a maximum of 60 people staying in a combination of tents, cabins and touring caravans at the site (British water – Flows and Loads 2 has been used). It is proposed that the treated effluent from the package treatment plant will be passed via a reed bed system to the attenuation pond, from where discharge will be pumped offsite to the roadside drain (alongside surface water).*

We consider the use of pumped drainage systems to be unsustainable. Similarly to as mentioned above in the Surface Water Drainage, the Applicant should have discussions with the adjacent landowner to facilitate an outfall to the watercourse which does not require pumping.

The Applicant will need to apply for an Environmental Permit from the Environment Agency as the expected peak flow rate is greater than 5m³ per day.

The Applicant should provide evidence that the outfall is to free flowing water which is non-seasonal.

In accordance with Policy SD4 of the Core Strategy, the Applicant should provide a foul water drainage strategy showing how it will be managed. Foul water drainage must be separated from the surface water drainage. The Applicant should provide evidence that contaminated water will not get into the surface water drainage system, nearby watercourse and ponds.

Overall Comment

In principle, we do not object to the proposals, however we recommend that the following information is included within suitably worded planning conditions:

- A detailed surface water drainage strategy (including a demonstrative drawing) (which does not include the use of a pumped drainage system) with supporting calculations that demonstrates there will be no surface water flooding up to the 1 in 30 year event, and no increased risk of flooding as a result of development between the 1 in 1 year event and up to the 1 in 100 year event and allowing for the potential effects of climate change;
- Evidence that the Applicant is providing sufficient on-site attenuation storage to ensure that site-generated surface water runoff is controlled and limited to agreed discharge rates for all storm events up to and including the 1 in 100 year rainfall event, with an appropriate increase in rainfall intensity to allow for the effects of future climate change;
- A detailed foul water drainage strategy showing how foul water from the development will be disposed of, in addition to seeking an Environmental Permit;
- Details of any proposed outfall structures.

Any discharge of surface water or treated effluent to an ordinary watercourse will require Ordinary Watercourse Consent from Herefordshire Council prior to construction.

4.9 Public Rights of Way Manager

There are no rights of way within the proposed site. No objection.

5. Representations

5.1 Much Marcle Parish Council objects as follows:

Proposed camp site and temporary dwelling is not supported by the emerging Much Marcle NDP. Outside the Settlement Boundary in open countryside. Does not address local housing needs nor offer any affordable housing on a rural exception site. The tourist business is not proven. Adjacent to a grade 2 listed property.

5.2 There have been 26 representations offering support for the application. These can be summarised as follows:

- a campsite for the village is an excellent and well-thought out project
- appropriate location away from, but close enough to the village not to look out of place
- will provide benefits to existing business and local events in the village
- a well-considered, low impact use
- positive educational opportunity, inspiring and aspirational
- field is not viable for commercial farming
- dwelling is a necessary requirement for ensuring site safety and responsible management
- proposal embraces the "Here you can" tenet
- comprehensive business plan that is commercially viable
- less harmful than nearby chicken sheds and wind turbine
- a beneficial additional facility for the village
- will encourage longer stays in Herefordshire
- good access to facilities via footpaths and will encourage, holiday makers more likely to walk and cycle
- site enhancement will improve diversity of wildlife

5.3 There have been 4 objections to the application. These can be summarised as follows:

- outside settlement boundary, in open countryside
- established field pattern and cultural association with agriculture would be lost
- not sustainable or of an appropriate scale
- impact on setting of listed building and nearby designated wildlife site
- impact on long distance view identified in NDP
- business need unproven and other sites are available within 9 miles
- no evidence to demonstrate sustained functional need
- temporary dwelling not sympathetic to Grade II listed Playford or Ladywood
- not sustainably located – walking distance of some 1 mile to nearest facilities/public transport along unlit roads with no pavements
- will generate a large number of additional vehicle movements on local road network
- site is highly visible when approaching from the east and in close proximity to Local Wildlife Site
- scattered cabins, pods, building and temporary dwelling out of character with rural landscape
- inadequate provision made for secure cycle storage and providing for electric bikes, contrary to Highways Design Guide

- removal of this species-rich boundary hedge would involve the irreplaceable loss of a longstanding historic landscape feature of high biodiversity importance, and would transform the south-east 'gateway' to both the village and the county
- significant adverse impact on local character
- proposed translocation will not avoid irreplaceable loss and damage to the biodiversity, landscape and historic features of this hedgerow.
- agent has provided no evidence of a survey to assess the likely presence of protected species, including common dormouse, and so this proposal is not compliant with protected species legislation or Natural England's standing advice referred to above
- recommendation for refusal are now supported by specialist officers' landscape, ecology and highways objections

5.4 The consultation responses can be viewed on the Council's website by using the following link:-

https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=180256&search=180256

Internet access is available at the Council's Customer Service Centres:-

<https://www.herefordshire.gov.uk/government-citizens-and-rights/customer-services-enquiries/contact-details?q=customer&type=suggestedpage>

6. Officer's Appraisal

6.1 The proposal is a campsite and temporary dwelling (twin unit caravan with attached veranda) and seeks permission for a significant number of structures and associated development including 10 camping pitches, 10 permanent cabins supplemented with various ancillary amenity buildings and facilities and a new vehicular access. This revised submission follows the refusal of permission for a similar proposal (although touring caravan provision has been removed and other revisions made, including the relocation of the access to seek to address technical objections). The application is accompanied by a number of documents, which will be referred to the relevant sections of the Appraisal.

6.2 The application has generated a relatively high level of public interest, much of which is supportive of the aims of this proposal. The following considerations are relevant to the determination of the application:

- The principle of establishing a new campsite and temporary dwelling (including its sustainability);
- Economic impacts;
- The visual impact of the proposed development on the site, surroundings and setting of Much Marcle;
- The impact of the proposed development upon the character and setting of nearby designated heritage assets
- The impact of the proposed development upon biodiversity
- Access and highway safety
- Residential amenity impacts
- Foul and surface water drainage implications

6.3 The Appraisal will, where necessary, seek to distinguish between the policy implications for the proposed campsite use and the dwelling.

The Principle of Development/Site Sustainability

6.4 The proposal is in an open countryside location some 800 metres from the settlement boundary that is defined with the Much Marcle Neighbourhood Development Plan and approximately 1.8 kilometres from the nearest local facility (the Walwyn Arms).

- 6.5 Whilst it is recognised that Much Marcle is a settlement identified for proportionate growth, and as such has a level of services and facilities befitting such status, it is considered that the proposed site would be unlikely to support these facilities in a sustainable manner. Policy SS7 of the Herefordshire Core Strategy (CS) requires that proposals focus development to the most sustainable locations and reduce the need to travel by private car and that encourages sustainable travel options including walking, cycling and public transport. Policy SS4 of the CS also requires that proposals should facilitate a genuine choice of travel modes. These policies are reflective of the National Planning Policy Framework (NPPF) objectives to guide development to sustainable locations, as clearly and particularly articulated in the sixth and eleventh bullet points of the core planning principles set out in paragraph 17.
- 6.6 The local road network comprises unlit rural roads with some significant bends and no footway making this a generally unattractive environment for walking or cycling and given the distances to any services or facilities such as public houses, restaurants, shops or bus stops, it is therefore unlikely that future occupiers would walk or cycle. Whilst I note that there may be attractive walking and cycling routes within the wider area and that there is a clear aspiration to promote these for guest, notwithstanding the well established recreational benefits there is no evidence provided to suggest that these would be utilised to access services or facilities. In relation to bus services, no public transport readily serves the site, with the nearest bus stop located beyond reasonable walking distance of the site. The intention to provide a mini-bus service is noted but there is no mechanism provided to ensure that this is available at all times and it will not be reasonable to compel guests to use this service or to share transport with others.
- 6.7 For these reasons, for the majority of the time and for convenience reasons, occupiers would be likely to be highly dependent on travel by the private car to access services and facilities. As such the proposal would conflict with Policies SS4 and SS7 of the CS and paragraph 17 of the Framework.
- 6.8 Policies E4 and RA6 of the CS, which provide for tourism related developments and the rural economy are relevant. Policies E4 and RA6 of the CS state that the development of sustainable tourism opportunities, capitalising on assets such as the county's landscape where there is no detrimental impact on the county's varied natural assets or on the overall character and quality of the environment would be supported. Particular reference is made to the need to ensure that development is of a scale that is commensurate with the location and setting and where additional traffic movements can be safely accommodated. These policies are underpinned by paragraph 28 of the Framework that explains that local development plans should support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This includes supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres.
- 6.9 Set against these locational disadvantages and policy constraints, the supporting documentation makes a compelling case for the wide range of facilities, activities and events that take place in and around Much Marcle and across Herefordshire and also the availability of walking and cycling routes that will undoubtedly appeal to some, if not all, guests. It is also recognised that the village does not currently benefit from a camp site and that there will no doubt be associated benefits to local businesses (shop, Post Office and 3 local public houses).
- 6.10 However in your Officers view, and with due respect and consideration to the extensive supporting information provided by the applicant, the proposal would not constitute sustainable rural tourism when considered against policies E4 and RA6 of the CS, policy SD1 of the Much Marcle Neighbourhood Development Plan (MMNDP) and paragraph 28 of the Framework because of its isolated location, relative scale and adverse impact upon the local landscape and rural setting of Much Marcle.

- 6.11 The proposed residential element of this proposal must also be considered carefully and this is essentially controlled through CS policy RA4 which expresses support for dwellings that underpin a rural enterprise where it can be demonstrated that there is a *sustained essential functional need* and it forms part of a *financially sustainable business*. Use of temporary permissions can be considered where the economic sustainability of a rural enterprise is not proven or where a business is being established. The application promotes the temporary approach and seeks to demonstrate an essential functional need through the need to provide site security and properly manage the educational programme and other activities that would be on offer for staying guests. It is stated in supporting information and by a number of comments received from third parties that a camp site of this size cannot operate without 24 hour on-site management. Your officers do not share this view as there are other means by which site security could be delivered and it is respectfully maintained that such sites would likely have started at a location where a dwelling was already a feature (such as a farm diversification) or where buildings could be converted for residential use and then grown organically.
- 6.12 For the avoidance of doubt, the information provided with the application is considered sufficient to advise that the enterprise is a financially sustainable one but whilst a dwelling would no doubt be convenient it is strongly maintained that it is not an essential requirement, and in this location, there should be very strict controls over new dwellings. Furthermore whilst the main part of the accommodation would meet the revised definition of a twin unit caravan, the additional veranda would exceed, resulting in a greater degree of permanence. Notwithstanding the hybrid nature of the dwelling, on the basis of the evidence provided it is not considered that the application would accord with CS policy R4 and policies HO1 and HO4 of the emerging MMMNDP.

Economic Impacts/Social Benefits

- 6.13 In order to properly weigh up the other impacts that will be discussed below, it is an important material consideration to consider the economic impacts and other benefits that would accrue from the proposed campsite use. The application documentation refers to the fact that the village does not have a camp site facility and that the particular offer that is being proposed in this instance is different from other facilities in terms of its focus on permaculture, education and promoting sustainable living. This is recognised and so too is the potential all-year round provision of accommodation that would arise from the proposed cabins that will provide extended benefits to local businesses. The Business Case conservatively estimates that in the first year this site would result in approximately £378,650 being spent in the local economy. There would also be benefits associated with local companies being used in the construction of the camp site and local suppliers and other recreational facilities that would be visited by guests.
- 6.14 The concept that is being proposed, which will promote sustainable living, through educational activities and growing produce will have social benefits that are relevant to the overall balance of the decision-maker.
- 6.15 The economic and social impacts would undoubtedly be positive, but are very difficult to quantify and this would need to be weighed against the other environmental impacts, which are set out in more detail below.

Visual Impact and Landscape Character

- 6.16 There is little context for development within the locality and the site retains its original field pattern and most of the key characteristics of its landscape character type: Principal Timbered Farmlands.
- 6.17 The site itself has an undulating topography which does not easily lend itself to this development and the proposal is therefore likely to require a degree of levelling to facilitate what is proposed. The dwelling is located in the far corner of the field, a relatively level section of the

field but this bears little relationship to the existing settlement pattern and will necessitate an extensive access and the visibility requirements would necessitate a significant loss of hedgerow that would open up the site to views whilst any new replacement hedgerow established itself and would in itself adversely affect the settled character of the rural approach to Much Marcle.

- 6.18 It is not considered that this site lends itself to this form of development easily because of its topography. The approach to the site is along a minor road but is of increased sensitivity because of its gateway into the county and relatively high quality (albeit undesignated) landscape.
- 6.19 The proposal will necessitate a variety of works which will result in the introduction of built form, access tracks and amenity landscaping; this will result in a significant change to the landscape at a local level. Given that the site is surrounded by an essentially natural landscape, representative of its type and forms one of the gateways to the county, The Senior Landscape Officer has characterised the site as one of medium to high sensitivity and furthermore is not convinced that the proposal respects the inherent landscape character or that this can be fully mitigated within the landscape. The proposal introduces domestic residential form and uses at odds with the development pattern. Permanent structures are in the main set deep into the plot and away from and separate from existing built form. Furthermore there would be glimpsed views of the site on the approach from the south-east, which are recognised in the MMNDP and an important view towards Much Marcle (Wider Views 20). This results in harm to the landscape character and amenity of the immediate locality and adversely affects the setting of Much Marcle. The proposal is therefore not considered compliant with policy SS6 and LD1 of the Core Strategy, MMNDP policies SD1 and NE1 and the guidance provided by the NPPF.

Heritage Impacts

- 6.20 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states the following:-
- “In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”
- 6.21 NPPF section 12 sets out the position regarding conserving and enhancing the historic environment. Specific principles and policies relating to the historic environment and heritage assets and development are found in paragraphs 126 – 141.
- 6.22 The NPPF sets out in paragraph 126 that there should be a positive strategy for the conservation of the historic environment. It is recognised that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance taking into account of:
- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation
 - the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring
 - the desirability of new development making a positive contribution to local character and distinctiveness
 - opportunities to draw on the contribution made by the historic environment to the character of a place.
- 6.23 Paragraphs 131 – 133 set out what and how LPAs should consider in determining planning applications featuring heritage assets. This includes:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

6.24 In this case, the main focus is the impact of the proposed development on the immediately adjacent Grade II listed thatched cottage (Playford). Other designated assets (the Conservation Area and other listed buildings) are considered too remote from the site to be materially affected. Expressly, the decision maker must establish what harm, if any is caused to the designated asset and determine whether this is substantial or less than substantial. In this case the Conservation Manager (Heritage) has not identified harm but has rather advised that the proposal is considered acceptable, subject to care and attention to the landscaping proposals. In my view, harm would be caused by this proposal since it would result in the loss of a field which contributes to the rural setting of the cottage and which has retained its original pattern. I consider that this would amount to less than substantial harm and as such it is then necessary to consider this against the public benefits of the proposal (NPPF paragraph 134 test). This weighting exercise will be undertaken in the Planning Balance below but in this particular case, your Officer attributes greater harm to this proposal than that of the Conservation Manager (Heritage).

6.25 At a local level CS policy LD4 requires new development proposals to protect, conserve, and where possible enhance heritage assets. Having regard to the comments from the Conservation Manager (Heritage), it is considered that subject to appropriate landscaping, the setting of Playford will be preserved. I am not persuaded by this view principally upon the basis of the scale of the proposals and the erosion of the rural setting within which Playford is located. Unusually therefore, I do not consider that the setting would be protected, conserved or enhanced and I therefore consider that there is a conflict with CS policy LD4.

Biodiversity

6.26 Both the Ecologist and Arboriculturalist expressed concerns in respect of the original submission, but following re-consultation upon a revised layout, which sought to retain more of the existing trees on the site, the objection of the Arboriculturalist has been overcome. However, following the further clarification in respect of the loss of hedgerow, the Ecologist maintains an objection but advises that in the event that permission is refused, would strongly recommend a condition requiring full survey of the hedgerow as part of any translocation.

6.27 The proposed foul drainage arrangements promote SuDS techniques with a package treatment plant discharging treated effluent to a reed bed which would then be collected in an attenuation pond and pumped off site when necessary. Subject to a condition securing the technical details, this would accord with the practice that is promoted to ensure that there would be no wider impact upon designated assets in terms of water quality. An assessment under the Habitat Regulations is awaited at the time of writing but upon the assumption that this will find “No Likely Significant Effects”, there are no unmitigated impacts and therefore no conflict with CS policy SD4.

Access and highway safety

6.28 Following an initial holding objection, the applicant commissioned and submitted speed survey data. This highlighted recorded speeds of 43 mph in a northwest direction and 45.8 in a south east direction. It is advised that since speeds are higher than 37.2 mph, the highest visibility splay distances are required. The speeds equate to 116.4m and 129m respectively. The provision of the visibility splays would require a large section of hedgerow to be removed to the south, whilst

the visibility splay to the north appears to affect land which is not in either highway land or land owned by the applicant. Accordingly, whilst it would be possible to achieve a safe access through compliance with these requirements, there is no certainty as to their delivery and as such I conclude that the impacts of approving the submission as proposed would be severe and therefore contrary to CS policy MT1 and the guidance provided by the NPPF.

- 6.29 It should be noted that securing compliance would have a significant visual impact through the loss of hedgerow that in itself would run contrary to CS policies LD1 and LD2 and MMNDP policy NE1 and NE2 and this associated impact is under consideration at the time of writing.

Residential amenity impacts

- 6.30 In light of its more rural location, it is likely that the additional noise and activity associated with a camp site of the size proposed will have some impact upon the levels of residential amenity currently enjoyed by local nearby residents. In mitigation, it is accepted that a camp site in itself is not an inherently noisy use and the repositioning of the vehicular access, whilst resulting in other environmental impacts, would reduce the level of impact and the manner in which the site has been laid out. This, together with the management commitments and emphasis on family and couples as set out in the supporting documentation, lead me to believe that the site can operate without having unacceptable effects upon residential amenity in accordance with CS policy SD1.

Foul and surface water drainage implications

- 6.31 The Council's Land Drainage consultant (Balfour Beatty Living Places) has considered the drainage strategy and agreed the principle of the SuDS system that has been proposed to service the site. There is an identified concern with the intended pumping of water from the attenuation pond on the basis that this may be prone to mechanical failure. Their preference would be to discharge naturally to adjacent ditches which are in the control of neighbouring landowners. This may be an option for the applicant but ultimately there is no objection to the strategy that has been outlined although a condition would be reasonable and necessary in order to finalise the detailed drainage scheme. Having regard to the advice received and subject to a suitably worded condition, it is considered that the requirements of policy SD3 would be satisfied.

Planning Balance and Conclusion

- 6.32 Paragraph 7 of the Framework advises that there are three dimensions to sustainable development; economic; social and environmental. Paragraph 14 of the Framework sets out how this is to be applied in practice, advising that proposals that accord with the development plan should be approved without delay. Policy SS1 of the CS reflects this guidance.
- 6.33 Economically, the construction and fitting out of the proposed camp site would for a short period of time generate some employment. Post completion, in terms of visitor spend the increase in the number of visitors and spend in the locality has been estimated within the applicant submission and undoubtedly would benefit local businesses and support other facilities and events in the locality and further afield.
- 6.34 Socially, the small amount of economic activity generated by the proposal would be of limited benefit and would make a small contribution to the local economy. The educational aspirations of the proposed use would in a small way offer social benefits in terms of increasing the awareness of a more sustainable lifestyle and promoting social interaction amongst guests.
- 6.35 Environmentally, the proposal would result in users of the site being almost totally car dependent to access facilities, attractions and services utilising narrow unlit single width country lanes. This would be at odds with the Government's` aims to reduce carbon emissions and

promote sustainable development. It would have a detrimental impact upon the local landscape which would be exacerbated by the extent of works required to remove roadside hedgerow in order to meet the visibility requirements requested by the Transportation Manager.

- 6.36 In relation to heritage impacts, the first obligation is to pay special regard to the desirability of preserving the building or its setting. In this case preserving can be taken to mean that no harm is caused. This is not considered to be the case. Applying the NPPF paragraph 134 test, it is considered that there would be less than substantial harm but the scale of this proposal and rural context of the Grade II listed cottage, is such that it is considered to be at the higher end of this spectrum.
- 6.37 The public benefits of facilitating a camp site where there is currently no provision will certainly support the tourism offer available in Hereford and local businesses and the wider County will benefit from the additional spending of staying guests. The concept is a novel one and would offer something different and also encourage longer stays throughout the year which would increase the economic benefits associated with this use. The educational aspects of this proposal are also matters to which weight can be afforded. However, it is considered that the less than substantial harm identified outweighs these benefits
- 6.38 In conclusion the proposal would be sited within the open countryside in an unsustainable location detached from the services and facilities it would support and it is not considered that there is an essential functional need for the proposed dwelling to manage the site. Furthermore, the proposed development would have an urbanising effect on the character and appearance of the site and its surrounding and would have an unacceptable impact upon the rural setting of a Grade II listed building.
- 6.39 Given that the three roles of sustainability are mutually dependent and should not be undertaken in isolation, it is concluded that the proposal would not represent sustainable development and as such, on the basis of the evidence submitted, I conclude that the proposal would conflict with the development plan as a whole as it is contrary to CS policies SS1, SS4, SS6 SS7, RA3, RA4, MT1, E4, LD1, LD2, LD4, MMNDP policies SD1, NE1 and NE2 and the guidance provided by the NPPF.

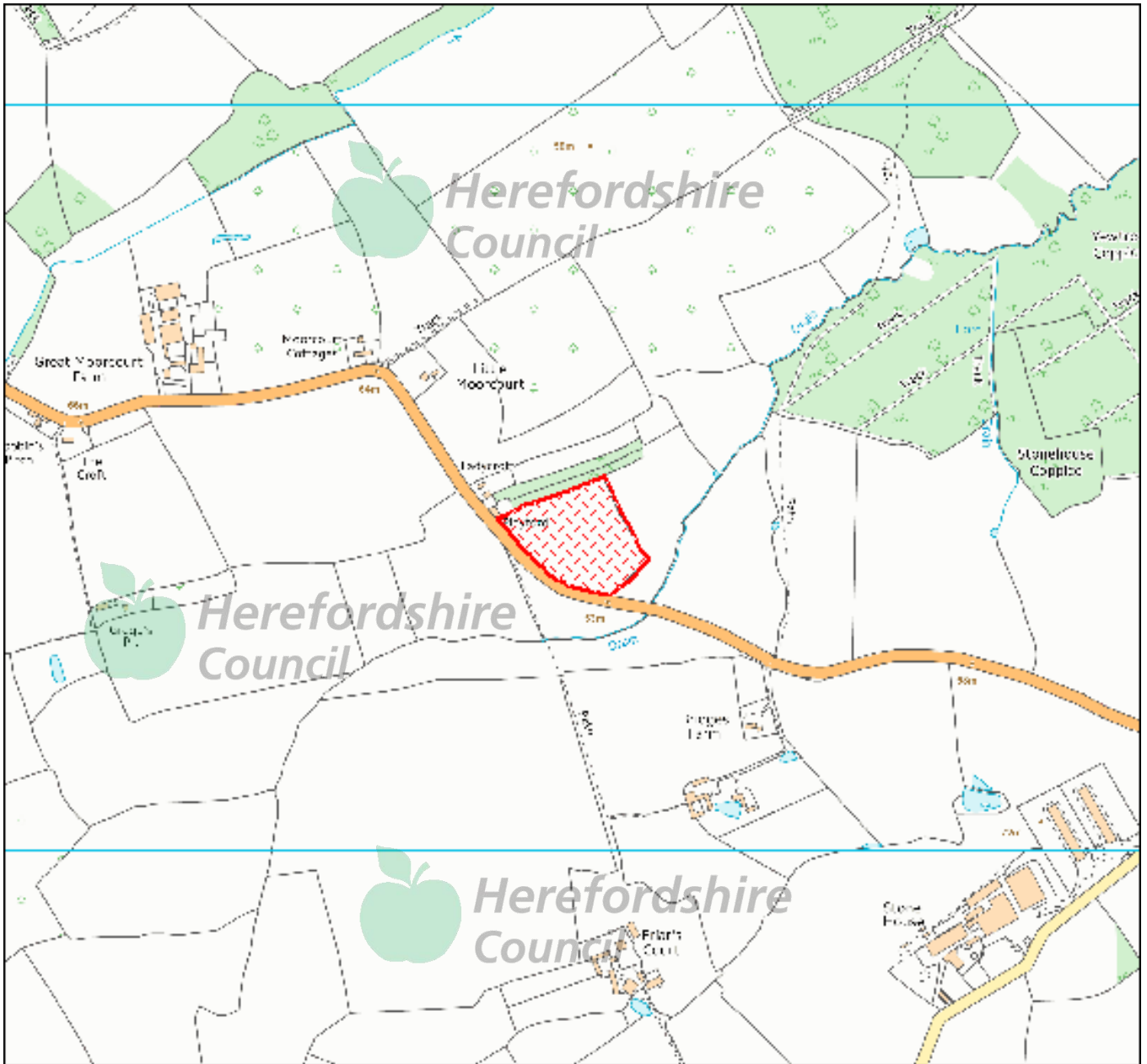
RECOMMENDATION

That subject to any further comments received from the Transportation Manager, planning permission be refused for the following reasons:

- 1. The proposal taken as a whole would represent unsustainable new development in an open countryside location where there would be full dependency on use of a private vehicle to access services and facilities. As such the proposal is contrary to Herefordshire Local Plan Core Strategy policies SS1, SS4, SS7, RA3, E4 and RA6, Much Marcle Neighbourhood Development Plan policy SD1 and the relevant aims and objectives of the National Planning Policy Framework.**
- 2. The proposed temporary dwelling represents unjustified unsustainable residential development within an open countryside location and would be contrary to Herefordshire Core Strategy Policies SS1, SS2, RA1, RA2, RA3 and RA4, Much Marcle Neighbourhood Development Plan policies HO1 and HO4 and the relevant aims and objectives of the National Planning Policy.**
- 3. The proposal taken as a whole, and by reason of its scale and form would have an adverse impact on the character, appearance and amenity of the open countryside contrary to Herefordshire Local Plan Core Strategy policies SS1, SS6, RA6, and LD1, Much Marcle Neighbourhood Development Plan policy NE1 and the relevant aims and objectives of the National Planning Policy Framework.**

4. **The proposal by reason of its scale and juxtaposition would be harmful to the setting and appearance of a Grade II listed heritage asset (Playford) contrary to Herefordshire Local Plan Core Strategy policies SS1, SS6, RA6 and LD4 and the relevant aims and objectives of the National Planning Policy Framework.**

5. **The extent of the loss of hedgerow required to provide for the necessary visibility splays at the proposed site entrance would be harmful to the biodiversity value of the site and surrounding area, contrary to Herefordshire Local Plan Core Strategy policy LD2, Policy NE2 of the Much Marcle Neighbourhood Development Plan and the guidance provided by the National Planning Policy Framework.**



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APPLICATION NO: 180256

SITE ADDRESS : PLAYFORD, MUCH MARCLE, LEDBURY, HEREFORDSHIRE, HR8 2NN

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Further information on the subject of this report is available from Mr S Withers on 01432 260612