

# A G E N D A

## Southern Area Planning Sub- Committee

Date: **Wednesday, 31st August, 2005**

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Time: **10.30 a.m.**

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Place: **The Council Chamber,  
Brockington, 35 Hafod Road,  
Hereford**

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Notes: Please note the **time, date** and **venue** of  
the meeting.

*For any further information please contact:*

*Ricky Clarke, Members' Services,  
Tel: 01432 261885 Fax: 01432 260286*

***e-mail: [rclarke@herefordshire.gov.uk](mailto:rclarke@herefordshire.gov.uk)***

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**County of Herefordshire  
District Council**



# AGENDA

## for the Meeting of the Southern Area Planning Sub-Committee

To: Councillor Mrs. R.F. Lincoln (Chairman)  
Councillor P.G. Turpin (Vice-Chairman)

Councillors H. Bramer, M.R. Cunningham, N.J.J. Davies, Mrs. C.J. Davis, G.W. Davis, J.W. Edwards, Mrs. A.E. Gray, T.W. Hunt, Mrs. J.A. Hyde, G. Lucas, D.C. Taylor and J.B. Williams

	Pages
<b>1. APOLOGIES FOR ABSENCE</b>	
To receive apologies for absence.	
<b>2. DECLARATIONS OF INTEREST</b>	
To receive any declarations of interest by Members in respect of items on the Agenda.	
<b>3. MINUTES</b>	1 - 12
To approve and sign the Minutes of the meeting held on 3rd August, 2005.	
<b>4. ITEM FOR INFORMATION - APPEALS</b>	13 - 16
To note the contents of the attached report of the Head of Planning Services in respect of the appeals received or determined for the southern area of Herefordshire.	
<b>REPORTS BY THE HEAD OF PLANNING SERVICES</b>	
To consider and take any appropriate action in respect of the planning applications received for the southern area and to authorise the Head of Planning Services to impose any additional or varied conditions and reasons considered to be necessary.	
Plans relating to planning applications on this agenda will be available for inspection in the Council Chamber 30 minutes before the start of the meeting.	
<b>5. DCSW2005/0593/F - ASHFORD STABLES, STONEY STREET, MADLEY, HEREFORD. HR2 9NZ</b>	17 - 26
10 extra car boot sales per calendar year.	
<b>6. DCSW2005/2403/F - KOHIMA, CUSOP, HAY-ON-WYE, HEREFORD, HEREFORDSHIRE, HR3 5QX</b>	27 - 32
Proposed extensions and improvements to an existing bungalow; new vehicular access and demolition of existing garage and closure of existing access.	

<b>7.</b>	<b>DCSE2005/2295/F - 9 SYCAMORE CLOSE, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5UA</b>	<b>33 - 38</b>
	Two storey extension to rear.	
<b>8.</b>	<b>DCSE2004/3971/F - BROCKHAMPTON COURT NURSING HOME, BROCKHAMPTON, HEREFORD, HR1 4TQ</b>	<b>39 - 50</b>
	Construction of nurses accommodation.	
<b>9.</b>	<b>DCSE2004/2864/F - WHITE HOUSE, LLANCLOUDY, HEREFORDSHIRE, HR2 8QP</b>	<b>51 - 56</b>
	Replacement dwelling.	
<b>10.</b>	<b>DCSE2005/1374/F - WYE LEA COUNTRY MANOR, BRIDSTOW, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6PZ</b>	<b>57 - 66</b>
	Change of use of 9 holiday cottages to retirement centre.	

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**BROCKINGTON, 35 HAFOD ROAD, HEREFORD.**

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<b>ITEM FOR INFORMATION - APPEALS</b>
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**APPEALS RECEIVED****Application No. DCSE2005/1547/O**

- The appeal was received on 3rd August, 2005
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal is brought by R.E. Williams Esq
- The site is located at Land between Lynwood and Tinber, Whitchurch, Ross-On-Wye, Herefordshire, HR9 6EG
- The development proposed is Proposed new dwelling
- The appeal is to be heard by Written Representations

**Case Officer: Charlotte Atkins on 01432 260536**

**Application No. DCSE2005/0920/F**

- The appeal was received on 11th August, 2005
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal is brought by T-Mobile UK Ltd
- The site is located at Queens Tunnel, Swagwater Lane, Gorsley, Ross-on-Wye, Herefordshire, HR9 7SL
- The development proposed is Proposed telecommunications installations consisting of a 22.5m lattice tower and ancillary development.
- The appeal is to be heard by Written Representations

Case Officer: Steven Holder on 01432 260479

**APPEALS DETERMINED****Application No. DCSW2004/1161/O**

- The appeal was received on 17th September, 2004
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal was brought by E.G. Perry & Sons
- The site is located at Top Barn, Little Penllan Farm, Dorstone, Herefordshire, HR3 6BL (grid ref: 2969-4011)
- The application, dated 31st March, 2004, was refused on 16th June, 2004
- The development proposed was Site for the erection of a agricultural detached dwelling with garage

**Decision:** The appeal was **WITHDRAWN** on 11th July 2005

**Case Officer: Andrew Prior on 01432-261932**

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Further information on the subject of this report is available from the relevant Case Officer

**Application No. DCSE2004/2609/F**

- The appeal was received on 11th April, 2005
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal was brought by Mrs. S.E. Roskill
- The site is located at Upper Courtyard, Gamage Farm, -, Much Marcle, Ledbury, Herefordshire, HR8 2NS
- The application, dated 13th July, 2004, was refused on 15th October, 2004
- The development proposed was Erection of clock tower on roof of open fronted shed
- The main issue is the impact of the proposal on the setting of Gamage farm, the adjoining landscape and the outbuildings to which it would be attached.

**Decision:** The appeal was **ALLOWED** on 25th July, 2005

**Case Officer:** Steven Holder on 01432 260479

**Application No. DCSE2004/1215/F**

- The appeal was received on 11th August, 2004
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal was brought by Mr. M. Phelps
- The site is located at Land adjacent to Laurels Farm, Barrell Lane, Longhope, Herefordshire, GL17 0LS
- The application, dated 19th February, 2004, was refused on 28th May, 2004
- The development proposed was Conversion of agricultural barn to residential accommodation. Detached garage.
- The main issue is the appropriateness of the building for residential conversion, having regard to relevant local and national planning policy.

**Decision:** The appeal was **DISMISSED** on 25th July, 2005

**Case Officer:** Mike Willmont on 01432 260612

**Application No. DCSE2004/2459/F**

- The appeal was received on 31st March, 2005
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal was brought by Mr. Williams
- The site is located at Long Ridge, -, Linton, Ross-On-Wye, Herefordshire, HR9 7RS
- The application, dated 8th June, 2004, was refused on 17th December, 2004
- The development proposed was Change of use of existing double garage into holiday let
- The main issue is the effect of the proposal on the character and distinctiveness of the local area

**Decision:** The appeal was **DISMISSED** on 8th August, 2005

**Case Officer:** Nigel Banning on 01432 261974

**Application No. DCSW2005/0033/O**

- The appeal was received on 24th May, 2005
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal was brought by Mr. & Mrs. W.D. Davies
- The site is located at Land at Upper Court, Clifford, Herefordshire.
- The application, dated 16th December, 2004, was refused on 1st March, 2005
- The development proposed was Residential development of three detached two storey houses
- The main issues are whether the proposal is consistent with the established settlement policies for the area, its effect on the character and appearance of the area and whether it would be sustainable in terms of reducing the need to travel, especially by car.

**Decision:** The appeal was **DISMISSED** on 11th August, 2005

**Case Officer: Andrew Prior on 01432 261932**

**Application No. DCSW2004/3842/O**

- The appeal was received on 23rd May, 2005
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal was brought by Mr. A.J. Watkins & Mrs. J.M. Powell
- The site is located at Site adjacent to East Cote, Pontrilas, Herefordshire, HR2 0BH
- The application, dated 2nd November, 2004, was refused on 18th January, 2005
- The development proposed was Site for one house
- The main issue is whether the proposal is consistent with the proposal is consistent with the established settlement policies for the area.

**Decision:** The appeal was **DISMISSED** on 11th August, 2005

**Case Officer: Andrew Prior on 01432 261932**



## DEFERRED APPLICATION

**5 DCSW2005/0593/F - 10 EXTRA CAR-BOOT SALES, PER CALENDAR YEAR AT ASHFORD STABLES, STONEY STREET, MADLEY, HEREFORD, HR2 9NZ**

**For: Mr. & Mrs. D.T. Evans, 5 Dunoon Mead, Newton Farm, Hereford, HR2 7BL**

**Date Received: 23rd February 2005    Ward: Stoney Street    Grid Ref: 42166, 37952  
Adj. Valletts**

**Expiry Date: 20th April 2005**

Local Members: Councillor D.C. Taylor and Councillor P.G. Turpin

**1. Site Description and Proposal**

- 1.1 The proposed site is on the north-western side of Stoney Street, an unclassified road (u/c 73209) just to the north east of Ashford House. The site is approximately 0.5 km from the junction of this unclassified road (Stoney Street) with the B4349 road adjacent to the Comet Inn.
- 1.2 Access is adjacent to Ashford House into the fields that have a roadside frontage of some 180 metres. The site is 120 metres at its deepest.
- 1.3 It is possible to use land for car boot sales for 14 days a year without the need for a planning application. The proposal is for 10 additional days which goes beyond that permitted in the General Development Order. This application seeks to renew a temporary planning permission for an additional 10 days that expires on 2nd August, 2005.
- 1.4 This application was originally presented to the Southern Area Planning Sub-Committee on 6th July, 2005, at which it was resolved that the application be deferred pending further discussions with the applicants.
- 1.5 Copies of the subsequent correspondence are attached as an Appendix.

**2. Policies**

**2.1 Planning Policy Guidance**

**2.2 South Herefordshire District Local Plan**

Policy GD1	General Development Criteria
Policy T3	Highway Safety Requirements

**3. Planning History**

- 3.1 SH960973PO    Bungalow    -    Refused 27.11.96  
(following a Sub-Committee Viewing Panel Inspection)

## DEFERRED APPLICATION

SH980114PO	Construction of new dwelling	-	Refused 11.03.98
SW2000/1311/F	Use for 10 extra car boot sales	-	Approved 02.08.00

**4. Consultation Summary**Statutory Consultations

- 4.1 No statutory or non-statutory consultations required.

Internal Council Advice

- 4.2 The Traffic Manager states that following further investigation no evidence of vehicles parking on highway or verges queuing delays minimal, intervisibility at pinch point. No evidence of risk to highway safety and delays are not considered to be at a level justifying refusal. Emergency Services, excluding the Police whom have not yet responded, have no adverse comments.
- 4.3 The Head of Environmental Health & Trading Standards raises no objections.

**5. Representations**

- 5.1 In a letter that accompanied the application the applicants state that the area delineated in blue on the submitted location plan can be used for additional car parking if necessary.
- 5.2 The applicants have submitted five letters, which all relate to representations received. The main points raised being:
- narrow access referred to, however Stoney Street adequate for British Telecom, Gelpack, Chicken Factory, HGV Haulage Company, as a bus route and by other users every day of the week
  - reference made to previous applications and considerable objections, in fact 3 letters of objection and 9 letters of support
  - why have Madley Parish Council responded, given 3 letters of objection out of 13 nearby residents, 10 residents not objected, 5 have written in to support
  - well marshalled, never allowed cars to park on the road
  - problems have only arisen when objectors parked cars on road
  - complimented by police on numerous occasions, also Madley Church have required help for fund raising events
  - not clear where 1500 vehicles is arrived at, when another neighbour states there are between 200-300 cars, trucks and vans down this road on car boot days
  - variance in times stated traffic starts, i.e. 10.00, 11.00 and 11.30 to 16.00, 16.30 and 18.30
  - no excessive rubbish, as it is all picked up
  - claimed car boot will be larger, not correct as it is the same site
  - not exceeded 24 days, indeed has not been five years of car boots, as in 2001 due to Foot and Mouth there were no car boot sales
  - support all charities by not charging them for their pitch, only charge for parking for last two weeks (not compulsory) money going to local charities of their choice.

## DEFERRED APPLICATION

## 5.3 Madley Parish Council make the following observations:

"We object on the grounds of traffic congestion on the surrounding roads and causing a nuisance to neighbours and road users."

## 5.4 Kingstone Parish Council make the following observations:

"The Parish Council objects to this application as residents in Stoney Street have concerns about the detrimental effect of high volumes of traffic using the narrow access routes to the site. We understand that previous applications to increase the number of Boot Sales on this site have raised considerable objections from Stoney Street residents. If previous applications have been refused, we are not aware of any changes which would give any credit to this application."

## 5.5 Four letters of objection have been received from:

MPD Ltd., PO Box 3, Ludlow, SY8 4WL  
Mr. C. M. Wise, New House, Stoney Street, Madley, HR2 9NJ  
Mrs. J. & Mr. P. Kury, Snowdrop Cottage, Stoney Street, Madley, HR2 9NJ  
Mr. E. R. Worwood, Upper House, Stoney Street, Madley, HR2 9NJ

The following main points are raised:

- why is car boot not licensed as elsewhere?
- it is a commercial venture, given number of traders, business rates should be paid. Bouncy castle, hot dogs, food and plant sales
- poor traffic management
- traffic back to Comet Inn, narrows outside Upper House, traffic jams of 10 - 40 minutes duration
- fire in 1994 on Industrial Estate, made worse (hospitalisations, loss of jobs) by a mere 5 minute delay. Time is of the essence. Public safety paramount
- traffic blocks our driveway
- traffic arises between 10 to 11.30 leaving 16.00 - 18.30
- between 2-300 cars, vans and trucks visiting site
- 1500 vehicles visiting site
- rubbish thrown from vehicles
- noise of voices, vehicles, generator (bouncy castle)
- noise of high powered hand mower used on verges
- overlooking by public in our garden, property opposite site
- natural brook filled in, trees cut down, water on road instead of in ditches
- 24 days has been exceeded throughout the years, extra field used for extra sales
- may be minority but do not ignore our complaints
- car boot sales have resulted in longer journeys, loss of staff and contracts, abandonment of Sunday operations, i.e. maintenance.

## 5.6 Ten letters of support have been received, five letters of which are from residents in Stoney Street, in which the following main points are raised:

**DEFERRED APPLICATION**

- enjoyable
- well run
- parking well managed; traffic well marshalled
- good atmosphere
- good way of recycling
- extra days allows for those days when boot sales not possible due to inclement weather
- good means of raising funds for charities
- welcome boost to our business at Comet Inn
- not in built-up area
- created no problems to normal business of Gelpack.

The full text of these letters can be inspected at Southern Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

**6. Officers Appraisal**

- 6.1 The main issues are considered to be traffic congestion and amenity.
- 6.2 It is evident that traffic does queue on Stoney Street, there are vehicles wanting to enter the site for 2.00pm the start of the car boot sale. The applicants state however that early arrivals are placed in a holding area. The traders are already on site. There does not appear to be the same issue of congestion on vehicles leaving the site, this is no doubt due to marshals on Stoney Street controlling the flow of departing traffic. There have been no reported incidents of accidents, indeed it is probably due to low traffic speeds, particularly on Stoney Street. There is not an issue of road safety along the relatively straight Stoney Street, this is endorsed by the Traffic Manager.
- 6.3 The Traffic Manager has also stated that the emergency services, namely the Police and Fire Brigade and Ambulance Service, do not raise objections to car boot sales taking place.
- 6.4 Whether or not there are traders on the site is a matter for the applicants, car boot sales as defined in the General Development Order does not specify what constitutes a car boot sale, only that it can only take place 14 days per calendar year.
- 6.5 The number of days for boot sales is normally 14, this has been increased to 24 with the benefit of planning permission granted in 2000. Better monitoring, should planning permission be granted, could be conditioned with the use of a log book detailing days for boot sales and whether or not they were abandoned before being opened up to the wider public due to inclement weather. The site is that identified with the application, any additional land does not constitute a site or indeed sites for further car boot sales. This additional land could be used in association with the 14 days allowed, but strictly speaking not for the proposed additional 10 days as the land falls outside the application site.
- 6.6 There is disturbance on Sundays and Bank Holidays for local residents in the vicinity of the site. This taking the form of parked cars waiting to be let into the site at 2.00 pm, notwithstanding that some earlier arrivals are allowed on site, and for those residents closer to the site the noise of voices, car doors slamming, generator noise and the smell of cooking foods. Visual intrusion could not be reasonably sustained as a ground of refusal. The issue revolves around whether or not the additional 10 days is



**DEFERRED APPLICATION**

acceptable in respect of the amenity that residents would reasonably expect to enjoy Stoney Street is an important thoroughfare serving a number of commercial premises including Gelpack and BT as well as residential properties, the disturbance from traffic cannot reasonably be sustained given time limited duration of queuing on Stoney Street in the context of the car boot day. The noise and disturbance generated by the public and vendors on site is something that given the frequency of the use and the duration, i.e. for 3-4 hours primarily is a matter that could not reasonably sustain an objection.

**RECOMMENDATION**

**That planning permission be granted subject to the following conditions:**

- 1 This permission shall be for a temporary period only ending on 31st July 2008.**

**Reason: In order to define the terms to which the application relates.**

- 2 A log book/record of all car boot sales shall be kept and shall be available for inspection, a car boot sale having deemed to have begun when the gates have been opened for at least one hour, notwithstanding subsequent weather conditions.**

**Reason: In order to define the terms to which the application relates.**

**Informative:**

**N15 - Reason(s) for the Grant of Planning Permission**

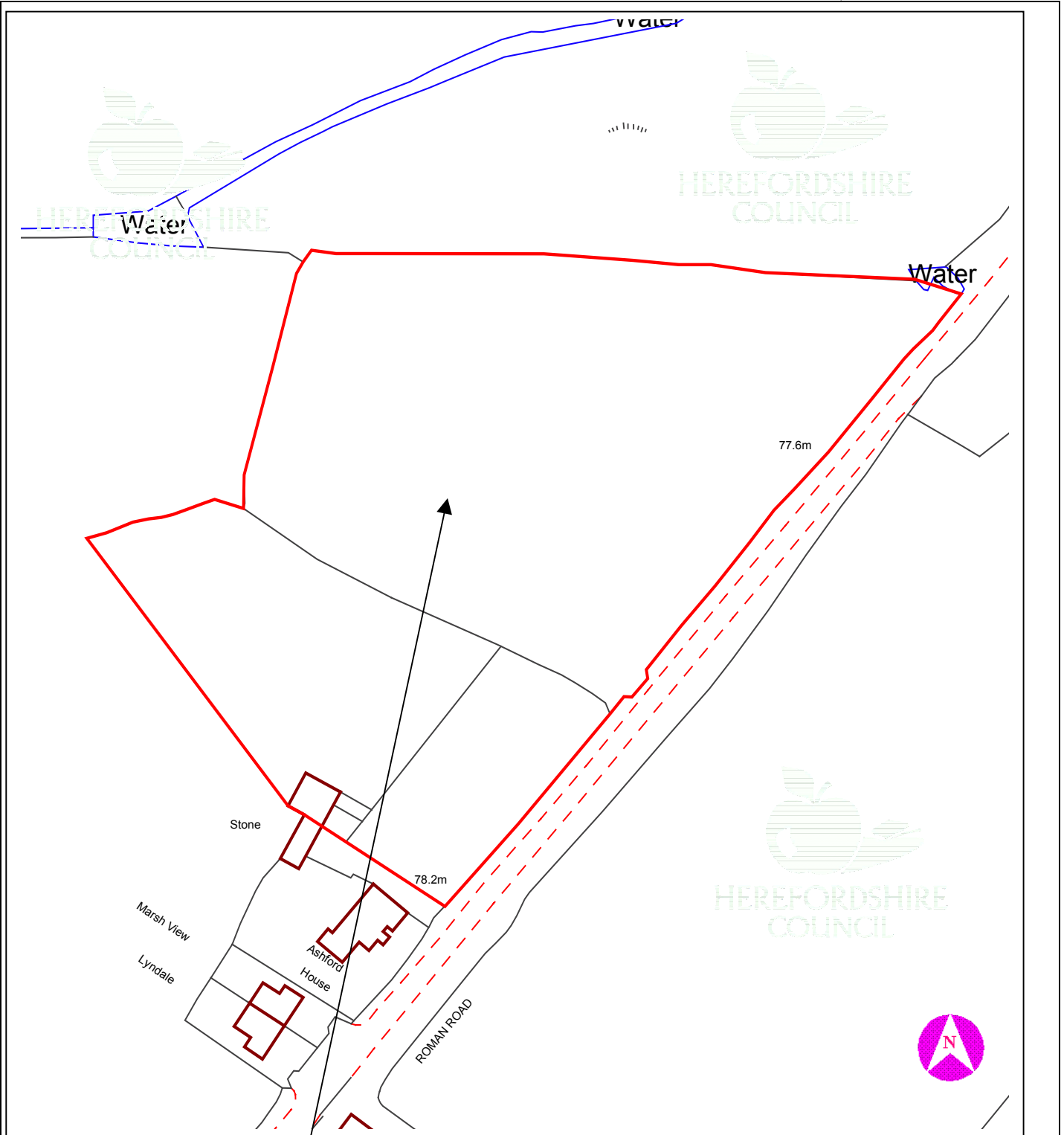
Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** DCSW2005/0593/F

**SCALE :** 1 : 1250

**SITE ADDRESS :** Ashford Stables, Stoney Street, Madley, Hereford. HR2 9NZ

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Mr & Mrs D T Evans  
5 Dunoon Mead  
Newton Farm  
Hereford  
HR2 7BL

Dear Sir.

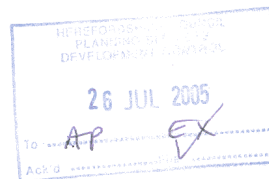
SITE: Ashford Stables, Stoney Street, Madley, Hereford, HR2 9NZ.  
DESCRIPTION 10 Extra Car Boot Sales per calendar year.  
APPLICATION NO: DCSW2005/0593/F.  
APPLICATION TYPE: Full

With reference to the above planning application that was reported to the Councils Southern Area Planning Sub-Committee on the 6<sup>th</sup> July 2005.

The first issue regarding the number of car boot sales applied for, members resolved to defer the application in order that the number of car boot sales held was reduced from 24 to 18 per calendar year.

We set out our response by objecting to this proposal, as we have been running the car boot sales for 7 years, of those 7 years the last 5 years with planning permission.

The 5 years temporary planning permission was granted in 2000 to hold 10 extra car boot sales per year, this temporary planning permission was given in order that the council could assess the impact of additional traffic on days when car boot sales are held. We have complied with all the planning regulations to the best of our ability and made ongoing improvements to the location to enable the car boot sales to run smoothly, safely and professionally and have not received any complaints from the council, emergency services or the police.



The second issue relates to measures to reduce early parking on the road leading to the site.

Our response to this matter is there is no problem with cars queuing on the road, measures are in place whereby we deter any booters or buyers from arriving early as we are an afternoon car boot running for 3 to 4 hours on a Sunday afternoon weather permitting, with full support of most of the Stoney Street residents.

There are measures already in place, whereby we monitor the traffic arriving (booters) and with two way radio decide when and if there is a need to let the traffic in to the car boot site. Measures already in place for early (buyers) again using two way radio we monitor the traffic and when and if the need to let them in early we will park them in the small field out lined in red on our site plan submitted with our planning application, they are then asked to wait and held back by one of our staff while we continue to carry on parking the (booters) this acts as a means of getting cars off the road and as a deterrent too arriving early.

The car boot sales are very popular and well attended, due to the fact they are a well run and organised event, and ideally sited in a rural area away from built up areas and busy main roads. We would also like to make the following points, we employ 6 local young persons, we have road marshals on entry and exits to the sale controlling the flow of traffic, we have car park marshals on duty parking the cars safely.

The only other way to confirm how well organised the car boot sales are run, is to openly invite the Councils Southern Area Planning Sub-Committee to a site visit on any Sunday weather and field permitting, to make judgement on the measures already in force and to see for themselves how local residents and villagers alike enjoy the Sunday afternoon car boot sales.

Yours faithfully,

Mr & Mrs D T Evans.

*D. Evans. T. Evans*



**Environment**  
Director: G. Dunhill

Mr & Mrs D T Evans  
5 Dunoon Mead  
Newton Farm  
Hereford  
HR2 7BL

Your Ref:  
Our Ref: ANP/DCSW2005/0593/F  
Please ask for: Mr A Prior  
Telephone: 01432 261932  
Fax: 01432 261970  
E-mail: aprior@herefordshire.gov.uk

Date: 13th July 2005

Dear Sir & Madam,

**SITE:** Ashford Stables, Stoney Street, Madley, Hereford, HR2 9NZ  
**DESCRIPTION:** 10 extra car-boot sales, per calendar year  
**APPLICATION NO:** DCSW2005/0593/F  
**APPLICATION TYPE:** Full

I refer to the above planning application that was reported to the Council's Southern Area Planning Sub-Committee on 6<sup>th</sup> July, 2005.

I can confirm that Members resolved to defer the application in order that officers discuss the matters of concern raised at Sub-Committee with you before presenting the application to a further Sub-Committee.

The first issue relates to the number of days applied for. Members would like to see a reduction to 18 days or less, i.e. 14 days and 4 days. Could I please have your response on this matter?

The second issue relates to measures for reducing early parking on roads leading up to the site. Are there measures that could be put in place that would reduce queuing on roads? Could I please also have your response on this matter?

I apologise for not writing earlier.

Yours faithfully,



**A. N. PRIOR**  
**PRINCIPAL PLANNING OFFICER**  
**PLANNING SERVICES**



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Putting People First Providing for our Communities Preserving our Heritage Promoting the County Protecting our Future  
County of Herefordshire District Council, Southern Planning Services, PO Box 230, Blueschool House, Blueschool Street,  
Hereford, HR1 2ZB

Tel: 01432 261967, Fax: 01432 261970  
Main Switchboard (01432) 260000 - www.herefordshire.gov.uk

DC5000MW



**6 DCSW2005/2403/F - PROPOSED EXTENSIONS AND IMPROVEMENTS TO AN EXISTING BUNGALOW; NEW VEHICULAR ACCESS AND DEMOLITION OF EXISTING GARAGE AND CLOSURE OF EXISTING ACCESS KOHIMA, CUSOP, HAY-ON-WYE, HEREFORD, HEREFORDSHIRE, HR3 5QX**

**For: Mr. S. Hodges per Mr. D. Walters, 27 Elizabeth Road Kington, Herefordshire, HR5 3DB**

**Date Received: 20th July, 2005    Ward: Golden Valley North    Grid Ref: 23570, 42271**

**Expiry Date: 14th September, 2005**

Local Member:    Councillor N.J.J. Davies

**1. Site Description and Proposal**

- 1.1 The application site lies within the defined settlement of Cusop and designated Area of Great Landscape Value as defined by the South Herefordshire District Local Plan. This site is located to the east of a small cul-de-sac, which serves five properties. The existing property known as Kohima is a two bedroom bungalow providing off street parking and a detached single garage.
- 1.2 The proposal is to demolish the existing detached garage and close off the access to the south and create a new access to serve the proposed garage/utility area measuring 6.8m x 2.8m to the north elevation; construct a new porch to the west elevation measuring 1.2m x 2.1m and a rear extension comprising of a lounge area measuring 4.3m x 4.4m.

**2. Policies**

**2.1 Planning Policy Guidance**

PPS1                    -            Delivering Sustainable Development

**2.2 Hereford and Worcester County Structure Plan**

Policy H.16A        -            Development Criteria  
 Policy H.18         -            Residential Development in Rural Settlements  
 Policy CTC.2       -            Development in Areas of Great Landscape Value

**2.3 South Herefordshire District Local Plan**

Policy GD.1        -            General Development Criteria  
 Policy SH.23       -            Extensions to Dwellings  
 Policy C.8          -            Development within Area of Great Landscape Value

## 2.4 Unitary Development Plan

Policy S.2	-	Development Requirements
Policy DR.1	-	Design
Policy LA.2	-	Landscape character and areas least resilient to change
Policy H.18	-	Alterations and Extensions

## 3. Planning History

- 3.1 DCSW2005/1296/F Proposed extensions and improvements - Withdrawn 18.05.05

## 4. Consultation Summary

### Statutory Consultations

- 4.1 No statutory or non-statutory consultations required.

### Internal Council Advice

- 4.2 The Traffic Manager observes:

“No objection, the car parking and access alterations onto this private road appear to be satisfactory.”

## 5. Representations

- 5.1 Cusop Parish Council observe:

“The Parish Council wishes to support this application as it appears to meet all the requirements of Policy SH.23 of the South Herefordshire District Plan, it improves the present bungalow and provides necessary accommodation for a young family.”

- 5.2 One letter of objection has been received from Mr. P. & Mrs. J. Jones of Cleveland, Hardwicke Road, Hay-on-Wye, Herefordshire, HR3 5QX

The grounds of objection can be summarised as follows:

- boundary hedges, approximately 7ft (2.1m) in height, parallel to garage will restrict the visual field to safely enter/exit the property
- oncoming vehicles/pedestrians unable to see vehicle exiting the property
- location of existing garage affords excellent visibility in both directions
- height of garage is excessive in comparison with the existing garage
- Cleveland has enjoyed 20 years of uninterrupted light at the rear of the property and the position of garage next to boundary hedge will be greatly affected by the construction of the garage
- no internal wall between main garage and utility area and cannot be deemed a living space
- garage larger than necessary and will exceed requirements of standard vehicle
- it should be noted that inset plans are not to scale, Cleveland appears to be further away from boundary hedge, and this gives an inaccurate impression of the proposed impact
- no objections in respect of the living room or porch extensions.



The full text of this letter can be inspected at Southern Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

## **6. Officers Appraisal**

### **6.1 The key issues in the consideration of the application are:-**

Effect of the proposal in terms of size and scale upon the existing  
Amenity of neighbouring residents  
Highway issues

6.2 The previous application SW2005/1296/F was withdrawn for reasons of size and design upon the existing bungalow. The current proposal internally alters the room layout and constructs the proposed garage to the north elevation, linking the rear utility room to the kitchen. The lounge to the front of the bungalow has been altered to provide a further bedroom and the rear proposed extension forms the lounge area. The proposed extensions have been reduced in height to remain visually subservient to the existing roofline of the bungalow. The proposal is considered to be an improvement to the withdrawn application in terms of size and design and thus satisfies the criteria of Policy SH23 of the South Herefordshire District Local Plan.

6.3 The concerns of the neighbouring property are noted. The existing garage has been demolished and reconstructed to the north elevation to provide internal access to habitable rooms, without the loss of a further bedroom. The distance to the boundary hedgerow of Cleveland measures 3.4m, the width of the garage measures 2.8m leaving 0.5m to the boundary. The proposed height measures 4.5m and sits beneath the ridge of the bungalow by 0.3m. The proposed length replicates the existing length of the bungalow measuring 6.8m and delineates an open utility area to the rear. The size of the garage is considered to be acceptable in terms of car parking standards and an area for purposes of utility space. In terms of light interruption to the rear garden of the neighbouring property, the garage whilst 0.5m from the boundary is at a lower height to the north elevation and would shadow a small part of the rear garden. However, the distance from the rear elevation of Cleveland to the boundary is approximately 20 metres and it is considered that the proposal would not cause a significant harm to the amenity of the garden element.

6.4 The Highway Engineer raises no objection to the proposed car parking and access alterations onto the private road, which serves only the five properties, including the application site and thus it is considered acceptable in terms of highway and pedestrian use.

6.5 Having regard to the above and with appropriate conditions it is considered that the proposal accords with Policies GD.1 and SH.23 of the South Herefordshire District Local Plan.

## **RECOMMENDATION**

**That planning permission be granted subject to the following conditions:**

### **1. A01 (Time limit for commencement (full permission) )**

**Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.**

**2. A08 (Development in accordance with approved plans and materials )**

**Reason: To ensure adherence to the approved plans and to protect the general character and amenities of the area.**

**3. For the avoidance of doubt, the garage shall be demolished and existing access closed off before the development hereby permitted is brought into use.**

**Reason: In the interests of highway safety.**

**4. E08 (Domestic use only of garage )**

**Reason: To ensure that the garage is used only for the purposes ancillary to the dwelling.**

**5. E09 (No conversion of garage to habitable accommodation )**

**Reason: To ensure adequate off street parking arrangements remain available at all times.**

**6. H13 (Access, turning area and parking )**

**Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.**

**Informative(s):**

- 1. HN04 - Private apparatus within highway**
- 2. HN05 - Works within the highway**
- 3. N15 - Reason(s) for the Grant of Planning Permission**

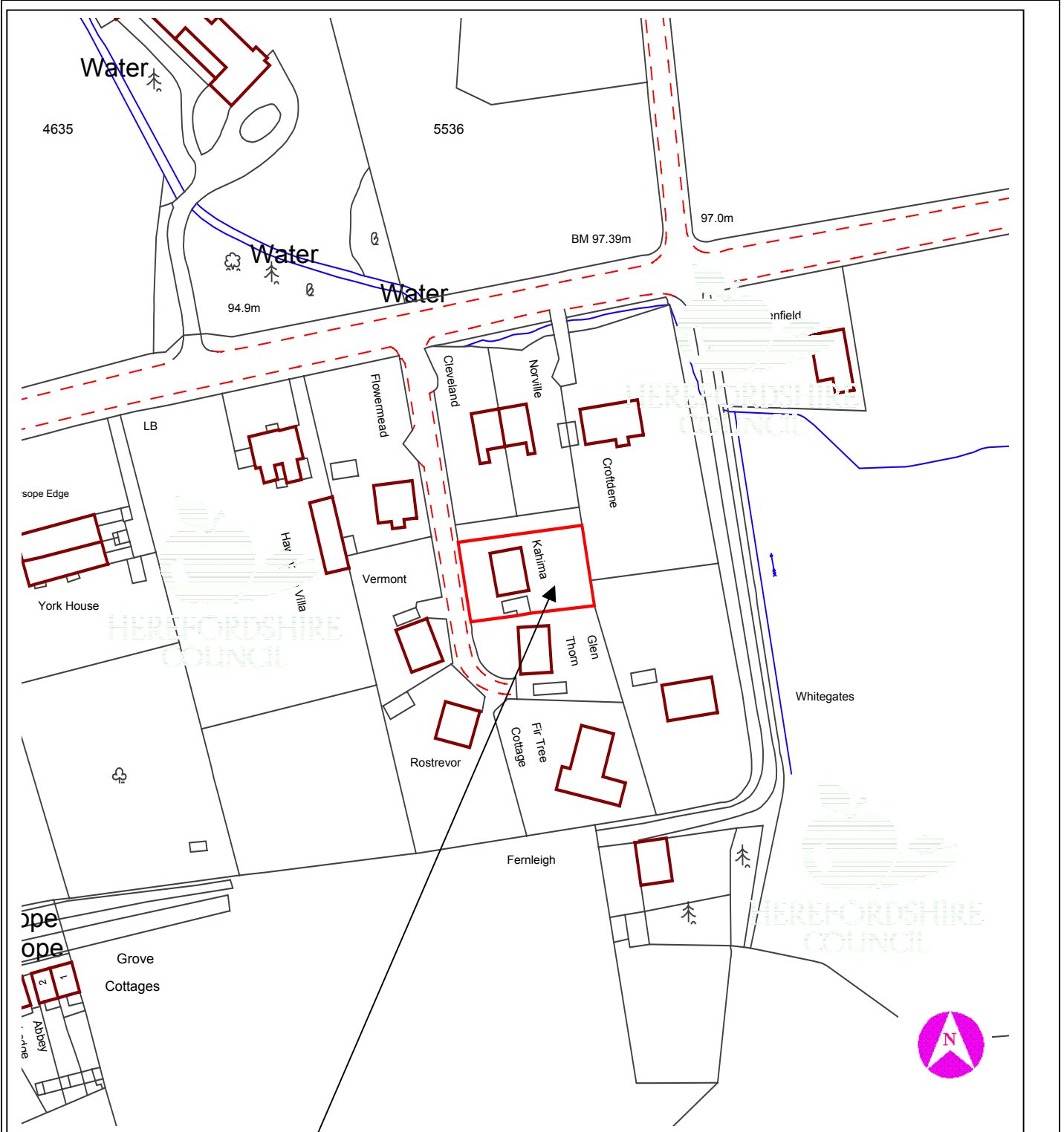
Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** DCSW2005/2403/F

**SCALE :** 1 : 1250

**SITE ADDRESS :** Kohima, Cusop, Hay-on-Wye, Hereford, Herefordshire, HR3 5QX

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**7 DCSE2005/2295/F - TWO STOREY EXTENSION TO REAR, 9 SYCAMORE CLOSE, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5UA**

**For: Mr. & Mrs. R. Hurdley per Mr. V. Marlow, VJM Design House, 26 Whaddon Road, Cheltenham, Glos. GL52 5NA**

**Date Received: 12th July, 2005    Ward: Ross-on-Wye West    Grid Ref: 59161, 23054**

**Expiry Date: 6th September, 2005**

Local Member:    Councillor G. Lucas  
                         Councillor M.R. Cunningham

**1. Site Description and Proposal**

1.1 This site is located in a residential housing estate within the town of Ross-on-Wye. This two-storey detached dwelling is situated between two other houses with houses to the rear. The dwelling has buff brick walls with grey concrete tiles on the roof. There are mature hedgerows on the side boundaries in the rear garden with some mature trees on part of the rear boundary on the neighbours side.

1.2 The proposal is to erect a two-storey extension at the rear of the existing dwelling in external materials to match existing.

**2. Policies**

**2.1 Planning Policy Guidance**

PPS.1            -        Delivering Sustainable Development  
PPG.3            -        Housing

**2.2 Hereford and Worcester County Structure Plan**

Policy CTC.1    -        Development in Areas of Outstanding Natural Beauty  
Policy CTC.9    -        Development Criteria

**2.3 South Herefordshire District Local Plan**

Policy GD.1     -        General Development Criteria  
Policy C.5       -        Development within Area of Outstanding Natural Beauty  
Policy SH.23    -        Extensions to Dwellings  
Policy T.3       -        Highway Safety Requirements

**2.4 Unitary Development Plan – Revised Deposit Draft**

Policy S.2       -        Development Requirements  
Policy DR.1     -        Design  
Policy H.18     -        Alterations and Extensions  
Policy LA.1     -        Areas of Outstanding Natural Beauty

### 3. Planning History

3.1 No relevant history.

### 4. Consultation Summary

#### Statutory Consultations

4.1 No statutory or non-statutory consultations required.

#### Internal Council Advice

4.2 The Council's Traffic Manager recommends a condition that parking should be to Council standards.

### 5. Representations

5.1 The Town Council has no objections.

5.2 Three letters of objection have been received from:

Mr. & Mrs. T. Thomas, 8 Sycamore Close, Ross-on-Wye, HR9 5UA

Mr. & Mrs. A. J. Cross, 14 Laburnum Close, Ross-on-Wye, HR9 5UB

C. E. Round, 15 Laburnum Close, Lincoln Hill, Ross-on-Wye, HR9 5UB

The main points being:

- the proposed extension will be out of keeping with other extensions granted in the past which have been built on the side of other dwellings in area
- the extension will over-dominate existing dwellings to side and rear
- the proposal will overshadow the adjacent property (to north east) both garden and house. The applicants' house is one metre higher and set back approximately 4 metres from back of objector's house
- more sunlight would be blocked from neighbours property in winter when the sun is lower in sky
- two extra windows will overlook neighbours property to side
- the proposed extension will be closer to dwellings to the rear which will also result in overlooking of these properties and will lead to an increase in the level of noise affecting these properties
- residential amenities of dwellings to the rear would be adversely affected by the proposal
- value of objector's dwellings will be affected.

The full text of these letters can be inspected at Southern Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

### 6. Officers Appraisal

6.1 The main issues relate to the size, design and appearance of the proposed extension and also its effect on the residential amenities of the adjacent dwellings, in particular the adjacent dwelling to the north east, in terms of overshadowing and adverse overlooking/loss of privacy. The most relevant policies in this case are GD.1 and

SH.23 of the South Herefordshire District Local Plan and CTC.9 of the Hereford and Worcester County Structure Plan.

- 6.2 The proposed extension is considered to be acceptable. The size and design will be in keeping with the existing dwelling and the character and appearance of the surrounding area.
- 6.3 It is also considered that the residential amenities of the neighbouring dwellings will not be adversely affected by the proposed development. The dwelling to the north east (which has an existing conservatory on the rear) would be the most likely to be affected. However it is considered that there will be no adverse loss of light nor over-domination as a result of the proposed extension. There will be a new window at first floor level on the side of the proposed extension facing the north east, however this will serve an en-suite w.c. and therefore will not affect the residential amenities of the neighbour. The residential amenities of the dwelling on the south west side will also not be adversely affected.
- 6.4 There will be two new windows at first floor level, one on each side in the walls on the existing dwelling, i.e. not in the new extension. These windows will overlook windows on the adjacent dwellings at the side. However the insertion of these windows in the existing walls of the dwelling would not require planning permission and as such could be inserted at any time whether this planning permission was granted or not.
- 6.5 The proposed development will not adversely affect the residential amenities of the dwellings to the rear of the property. In any event there are existing trees on the neighbours side which are positioned along part of the rear boundary.
- 6.6 The proposed development is therefore considered to be acceptable and in accordance with planning policies, in particular Policies GD.1 and SH.23 of the Local Plan and Policy CTC.9 of the Structure Plan.

## RECOMMENDATION

**That planning permission be granted subject to the following conditions:**

1. **A01 (Time limit for commencement (full permission) )**

**Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.**

2. **A07 (Development in accordance with approved plans )**

**Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.**

3. **E17 (No windows in side elevation of extension )**

**Reason: In order to protect the residential amenity of adjacent properties.**

4. **The window serving the en-suite w.c. at first floor level on the north-east elevation of the extension hereby approved shall have obscure glazing and at all times thereafter, unless otherwise first agreed in writing by the local planning authority.**

**Reason:** In order to protect the residential amenity of the adjacent dwelling.

**Informative(s):**

1. **N03 - Adjoining property rights**
2. **N14 - Party Wall Act 1996**
3. **N15 - Reason(s) for the Grant of Planning Permission**

Decision: .....

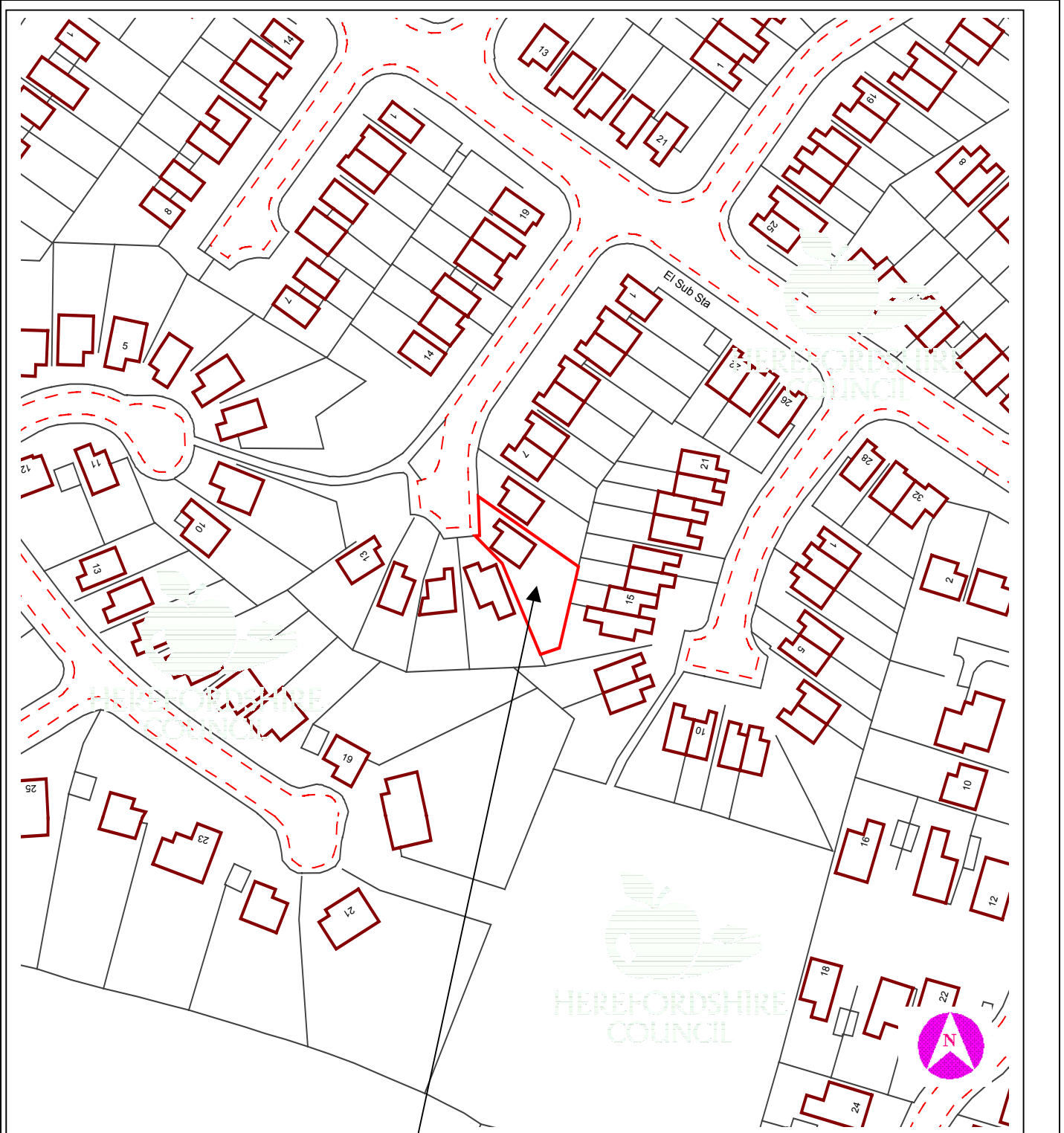
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**Background Papers**

Internal departmental consultation replies.





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**APPLICATION NO:** DCSE2005/2295/F

**SCALE :** 1 : 1250

**SITE ADDRESS :** 9 Sycamore Close, Ross-on-Wye, Herefordshire, HR9 5UA

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**8 DCSE2004/3971/F - CONSTRUCTION OF NURSES ACCOMMODATION AT BROCKHAMPTON COURT NURSING HOME, BROCKHAMPTON, HEREFORD, HR1 4TQ**

**For: Dr. C.J. Allen per Trevor Hewett Architects, 25 Castle Street, Hereford HR1 2NW**

**Date Received: 17th November, 2004 Ward: Old Gore Grid Ref: 59887, 31788**

**Expiry Date: 12th January, 2005**

Local Member: Councillor J.W. Edwards

**1. Site Description and Proposal**

- 1.1 Brockhampton Court is a large country house now used as a nursing home. Planning permission has recently been granted for a 16-bed extension to the nursing home and this is now being constructed. The current proposal is to provide residential accommodation for nursing staff. The site chosen is a former tennis court located some 80m from Brockhampton Court. The south-eastern boundary of this rectangular site of some 48 m x 26 m is formed by a high wall. Along the other boundaries there is existing planting although a number of trees would need to be removed to facilitate the development. The main formal gardens of Brockhampton Court are to the west and south-west of the application site.
- 1.2 The proposal is a terrace of three two-storey units. Each unit would have a living-dining area with kitchen, a bathroom and one bedroom (double or twin) on ground floor with five bedrooms and a bathroom on first floor. This would provide a total of 21-23 bed-spaces. The elevations would be of brick construction up to first floor cill level with weather boarding above and on the end elevations. The north-eastern unit (no. 3) would be lower at eaves/ridge level with the upper floor partly within the roof slope and lit by rooflights.
- 1.3 Access would be via a new drive extending from the southern end of the main drive through the Court and skirting the eastern side of the formal gardens. Nine car parking spaces are proposed.

**2. Policies**

**2.1 Planning Policy Guidance**

PPS7 - Sustainable Development in Rural Areas

**2.2 Hereford and Worcester County Structure Plan**

Policy H16A - Housing in Rural Areas  
 Policy H20 - Housing in Rural Areas  
 Policy CTC1 - Area of Outstanding Natural Beauty  
 Policy CTC2 - Area of Great Landscape Value

**2.3 South Herefordshire District Local Plan**

Policy C1	-	Development within Open Countryside
Policy C2	-	Settlement Boundaries
Policy C5	-	Development within AONB
Policy C8	-	Development Within Area of Great Landscape Value
Policy C29	-	Setting of a Listed Building
Policy SH11	-	Housing in the Countryside

**2.4 Herefordshire UDP (Revised Deposit Draft)**

Policy H7	-	Housing in the Countryside
Policy H8	-	Agricultural and Forestry Dwellings and Dwellings Associated with Rural Businesses
Policy LA1	-	Areas of Outstanding Natural Beauty

**3. Planning History**

3.1	CE1999/3231/F	Conversion of existing outbuildings to provide three registerable bedrooms with en-suite facilities	-	Approved 19.1.00
	CE1999/3171/L	Conversion of outbuildings to 3 no registerable bedrooms, new windows and alterations to existing door openings.	-	Approved 14.1.00
	CE2003/0060/F	Single block of 4 No. units of sheltered housing with garages/stores	-	Approved 3.3.03
	DCSE2003/1482/L	Two storey, 12 bedroom extension with single storey link to existing building.	-	Approved 1.7.03
	DCSE2003/1485/F	Two storey 12 bedroom extension with single storey link to existing building.	-	Approved 1.7.03
	DCSE2004/3441/F	Extension to existing nursing home: variation of condition 2 (SE2003/1485/F)	-	Approved 12.1.04
	DCSE2004/3443/L	Extension to existing nursing home: variation of conditions 2 and 7 (SE03/1482/L)	-	Approved 7.1.05

**4. Consultation Summary**Statutory Consultations

- 4.1 Environment Agency raises a holding objection as insufficient information has been submitted regarding foul drainage.

Internal Council Advice

4.2 Traffic Manager recommends that conditions be imposed regarding provision of car parking.

4.3 The Conservation Manager does not object in principle but raises concerns regarding detailing of the weatherboarding.

## 5. Representations

5.1 The applicant has submitted two letters explaining his reasons for making the application. These are reproduced in full in the Appendix to this report. In addition financial details have been supplied in support of the financial case.

5.2 Parish Council have not replied.

5.3 One letter has been received from local residents. They raise the following concerns, although not objecting in principle:

- (1) grey slate roof would be very visible above the old garden wall from their property which would limit light to occupants - building should be sited several metres further from wall;
- (2) rooms extremely small : suited for student accommodation but not for professionals as their sole dwelling;
- (3) presumably rooflights unacceptable as rejected recently on a neighbouring property;
- (4) additional traffic on very narrow road and new driveway along edge of orchard - shorter route would be to connect to the existing drive north of the Court;
- (5) Potential noise from traffic especially as shift working and should be contained within existing area occupied by the Court as far as possible;
- (6) significant increase in light pollution (first floor windows, outside lights, vehicles lights);
- (7) mature walnut tree not shown on plans; removal of 3 conifers on eastern side will reduce visual screening.

The full text of these letters can be inspected at Southern Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

## 6. Officers Appraisal

6.1 The current Development Plan does not allow new housing in the open countryside except for agricultural and forestry workers dwellings. The proposal clearly conflicts with the Council's adopted policies for residential development. Policy H7 of the emerging UDP widens the exceptions to include dwellings necessary for the growth of a rural enterprise. However this policy carries limited weight pending the UDP Inquiry Inspector's report. Advice in Annexe A of PPS7 is more supportive of the principle of occupational dwellings in the countryside. It points out that "there still be some cases where the nature and demands of the work concerned make it essential for one or more people engaged in the enterprise to live at, or very close to, the site of their work.

Whether this is essential in any particular case will depend on the needs of the enterprise concerned and not on the personal preferences or circumstances of any of the individuals involved". Criteria is set out for assessing the need for a rural dwelling(s). These are:

- (i) there is a clearly established existing functional need
- (ii) the need relates to a full-time worker or a worker whose primary employment is at the rural enterprise and is not a part-time requirement
- (iii) the enterprise has been established for at least 3 years, has been profitable for at least one of them, is currently financially sound and has a clear prospect of remaining so
- (iv) the functional need could not be met by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned.

6.2 Full details to enable the financial test to be considered have been submitted and carefully assessed. It is considered that the nursing home, which has been established for a number of years is financially sound, taking into account the substantial investment currently underway and planned.

6.3 The key issues are therefore considered to be whether the nurses' accommodation is necessary and what the visual effect would be on the setting of the Listed Building and on the landscape which is both an Area of Outstanding Natural Beauty and of Great Landscape Value. The Commission for Social Care Inspection (CSCI) have indicated that for a nursing home 1 carer (including nurses) is needed for every 5 residents during the day (2 shift) and 1 for 10 at night. The current application to CSCI for an additional 15 places (i.e. the extension) would result in the total number of places at Brockhampton Court being 58. Consequently 12 carers would be needed each day shift, 6 for each night shift. On this basis 40 plus carers would be required. Administrative, catering, maintenance and other staff would be additional to that number. The applicant seems to imply that the home would function as a post operative unit which may require higher staffing level but it is understood that Brockhampton Court is not registered for that purpose at the moment.

6.4 On the limited evidence available there do seem to be difficulties in attracting sufficient trained staff particularly for residential and nursing homes in rural locations. In this case the home is some distance from a village of any size and is not on a bus route. According to the applicant job advertisements have offered transport and "excellent pay" but sufficient carers and qualified nurses have not been recruited. Like farming these rural businesses are turning to foreign workers to make up the shortfall, although in this case it is full-time, qualified nurses that are being recruited rather than seasonal, unskilled farm workers. It seems reasonable to assume that the same problems of accommodation would arise but with a need for permanent accommodation. Although not researched or fully documented information from CSCI supports this picture.

6.5 But accepting that there is a need for staff accommodation there are two remaining considerations: does the accommodation need to be on site and how much accommodation? The isolated position of Brockhampton Court, distance from any sizeable settlement and lack of public transport noted above all suggest on-site provision and it is not clear that there are obvious alternative site(s) suitable for such development within easy reach of the Court. Whilst the number of staff (carers) needed can be calculated with some confidence the number that need to be housed at Brockhampton cannot be estimated from the evidence submitted. No information is

available on present numbers of staff. It may be reasonable to assume that significant investment such as this proposal would not be undertaken without sound reasons.

- 6.6 On the second issue a major consideration is the effect on the setting of the listed building. Ideally these new units should be sited close to Brockhampton Court but it is considered that there is no better site in view of the extensive gardens to the east of the Court which are an important part of its setting. Furthermore the application site would be partially screened by the higher wall, and existing planting and topography. It would still be visible from certain vantage points but it is considered that the adverse visual impact would not be so serious as to justify refusal if the Committee is satisfied required on the need for accommodation. The access chosen similarly minimises any harm to Brockhampton Court's setting and the landscape, as it can be cut below the level of the gardens. There is considered to be sufficient distance (about 65 m) to the nearest house to ensure that residential amenities would not be unduly affected. Re-siting the building may be practicable and allow additional planting. This will be discussed with the applicant's agent.
- 6.7 The Traffic Manager recommends 18 parking spaces whereas only 9 are proposed. It would be difficult to accommodate this number on the application site and despite the rural location it may be doubted if every occupant will have private transport. The fact that transport is one of the problems and the need for foreign workers both suggest that a lower provision would suffice.
- 6.8 There is ample space for a septic tank drainage system and this can be required by planning condition.
- 6.9 It is concluded that on the evidence available, the need for nurses accommodation has been demonstrated with the one reservation about precise numbers. Accepting that this is not readily quantifiable it is therefore recommended as follows:

## RECOMMENDATION

**That subject to revised drawings showing acceptable design, external appearance and siting of the building the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions and any additional conditions considered necessary by officers:**

**1 A01 (Time limit for commencement (full permission) )**

**Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.**

**2 B01 (Samples of external materials )**

**Reason: To ensure that the materials harmonise with the surroundings.**

**3 G04 (Landscaping scheme (general) )**

**Reason: In order to protect the visual amenities of the area.**

**4 G05 (Implementation of landscaping scheme (general) )**

Reason: In order to protect the visual amenities of the area.

5 F48 (Details of slab levels )

Reason: In order to define the permission and ensure that the development is of a scale and height appropriate to the site.

6 E30 (Use as staff accommodation )

Reason: It would be contrary to the policy of the local planning authority to grant planning permission in this location without the special need to provide on site accommodation.

7 F32 (Details of floodlighting/external lighting )

Reason: To safeguard local amenities.

8 F18 (Scheme of foul drainage disposal )

Reason: In order to ensure that satisfactory drainage arrangements are provided.

9 H13 (Access, turning area and parking )

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

Informative:

1 N15 - Reason(s) for the Grant of Planning Permission

Decision: .....

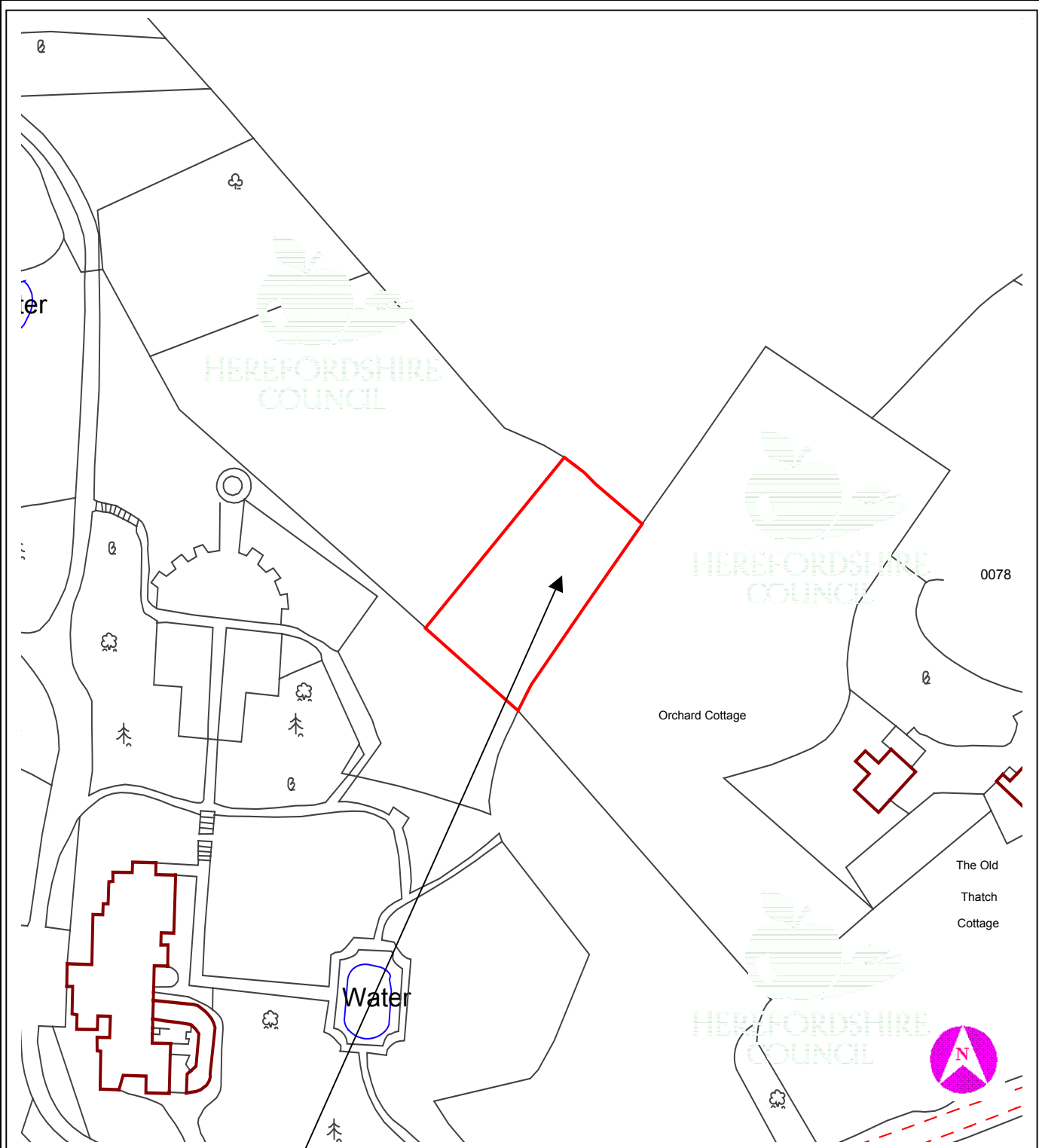
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**Background Papers**

Internal departmental consultation replies.





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**APPLICATION NO:** DCSE2004/3971/F

**SCALE :** 1 : 1250

**SITE ADDRESS :** Brockhampton Court Nursing Home, -, Brockhampton, Hereford, Herefordshire, HR1 4TQ

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Appendix 2  
SE04/3971/F



## BROCKHAMPTON COURT

Mr S Holder  
Planning Services  
Herefordshire Council  
Blue School House  
Blue School Street  
HEREFORD  
HR1 2ZB

*Excel*

13<sup>th</sup> July, 2005

Dear Mr Holder,

I am responding to your letter of 30<sup>th</sup> June, 2005 addressed to Trevor Hewett Architects acting on my behalf.

Para 1. refers to criteria and I note that (111) has been met whilst (1), (11) and (1V) seek further clarification. I propose to deal with the 3 points on the order set out in your letter.

(1). Functional Need.

People in Herefordshire are aware that there is an obvious need for Nursing Home beds, an increasing need for an intermediary care / post operative unit within the County, (reducing the load borne by the NHS Acute Hospital) similar to Hillside, the Council / PCT facility and thirdly private beds available in an ageing population.

The following statement is taken from the Summary of the Report on the Inspection of Herefordshire Social Care Services for Older People, March 2004.

“One of the aims is to diminish the need to remain unnecessarily in acute hospital beds.”

(11) These beds need staff.

We have not been able to recruit sufficient carers and qualified nurses from surrounding towns and villages despite offering (a) transport, (b) excellent pay, (c) numerous advertisements in the local press and Job Centres.

It is worthy of note that Weir Care Homes recently tried a free transport system for staff (to and from Hereford) but had to abandon it as it was neither practical nor viable.

The 6 Phillipino nurses employed by Brockhampton at present often walk the dark roads at night to and from their shifts, and this is not acceptable. They occupy a poor cottage – 2 / 3 bedrooms – the only one we can rent locally.



Brockhampton Court, Brockhampton, Hereford HR1 4TQ Telephone: 01989 740239 Fax: 01989 740289

Point of clarification.

The Health Inspection Authorities no longer use resident / staff ratios but judge the number of staff required on the need of care required at any one time. Obviously high dependency patients need more staff.

The additional beds being built must be staffed by people working a maximum of 37.5 hours per week. There must also be extra staff for holiday relief, sickness and emergencies.

We will need 4 extra carers on day shift  
4 extra carers on the late shift  
2 extra carers on night shift.

This works out at 10 by day and 4 by night to keep minimum levels of staff.  
3 domestic staff and 2 kitchen staff in shifts 7 days a week are also needed.

It is unlikely that we will find the extra staff in Herefordshire and so again will be forced to employ people from abroad.

Page 50 paragraphs 9 – 11 of the Inspection Report confirmed that recruitment was a major issue in Herefordshire and gave as an example the fact that the independent sector care homes were looking abroad to recruit staff.

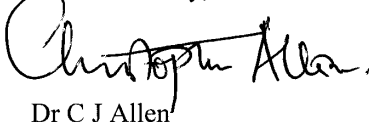
(1V) We have no outbuilding that could be adapted for accommodation.  
The roof design and engineering shape allows no standing or moving room in the roof space of the 16 bed extension.

The planned staff accommodation is for 3 adjacent (cottage style) structures each with 5 single rooms and a downstairs sitting room for handicapped staff as required by law. These rooms will be available to nursing and care staff.

We are seeking the ability to have 18 staff on site.

I trust this letter clarifies the points raised and as in (11) meets the requirements of (1), (11), and (1V).

Yours sincerely,



Dr C J Allen

cc Mr Neil Pringle, Chief Executive.

SE04/3971/F  
Appendix 1



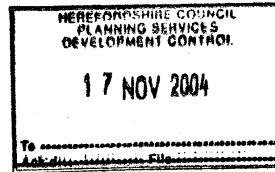
**BROCKHAMPTON COURT**

HOME  
FAX

01482  
840883

CJA/KP  
6 May 2004

Mr. S. Holder  
Planning Services  
Herefordshire Council  
PO Box 230  
Hereford  
HR1 2ZB



Dear Mr. Holder,

Mr. Trevor Hewett has asked me to write to yourself to set out our justification for building on-site accommodation for the nurses and carers.

The demand for nursing home beds is increasing every month. Every day we have telephone calls from Social Services, the Hospital Discharge Officers or individuals urgently looking for a nursing home bed for their relations.

Whilst we are very excited to have planning permission for the new 16-bed extension, we must ensure we have sufficient, suitable nurses and carers to look after these unwell patients. At the present time we struggle hard every month to find the necessary staff, but we do now realize that an extra 16 residents could be impossible to look after without having staff living on site.

Agency staff are often totally unreliable in their attendance; our present staff may, for good reasons and at the last moment, not be able to come to work, but always the ill residents must be nursed.

The Nursing Home is in a rural environment, which has the results that all the staff, often on different shifts and coming from widely different areas, must have their own transport. In bad weather, and at times in acute crisis, we must have more staff on site. Our present staff often work extra, very long hours to cover the staff non-attendance, then they themselves become very tired and are unable to come to work.

Legislation is, rightly, very tough and specific about how many nurses must be on the floor at any one time. In the past few months, at many different times, Matron and myself have had to go in at night, at weekends, or whenever a crisis of shortage of staff attendance numbers arises.

Continued .....



Brockhampton Court, Brockhampton, Hereford HR1 4TQ Telephone: 01989 740239 Fax: 01989 740289

SE04/3971/F\_


To: Mr. S. Holder, 6.5.04 (cont)

We have advertised ten times in the last twelve months for staff, and have a constant advertisement in the Job Centre. However, the response has been very poor, especially when the need for transport is realized. Many ladies are, naturally, reluctant to drive alone in the dark at night. We do recruit as much local help, whether young or old, as possible but we just cannot get enough people. Any overseas staff that are taken on as nurses or as carers will always be on a 12 or 24-month contract, so that we can really plan and ensure that sufficient care is available. These people rarely have any transport and, therefore, it is ideal for them to be able to walk to work. Ill people really actually prefer to be looked after by the same staff, with continuity of care, rather than have a large number of different, very part-time carers in attendance.

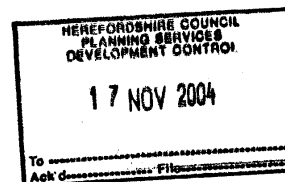
We know there is no doubt about the huge and increasing need for more nursing home beds in the County of Herefordshire but to try to staff even our existing beds, let alone extra beds, without sufficient on-site staff could easily lead to future failure of the Nursing Home. I would, therefore, ask you to consider our request to build on-site accommodation to look after these ill people.

With kind regards,

Yours sincerely,



Dr. C. J. Allen



**9 DCSE2004/2864/F - REPLACEMENT DWELLING,  
WHITE HOUSE, LLANCLOUDY, HEREFORDSHIRE,  
HR2 8QP**

**For: Mr. & Mrs. R. Lovering per Mr. M. Keyse, Sawpits,  
Great Doward, Symonds Yat, Ross on Wye, HR9 6BP**

**Date Received: 6th September, 2004      Ward: Llangarron      Grid Ref: 49577, 19924**

**Expiry Date: 1st November, 2004**

Local Member:      Councillor Mrs. J.A. Hyde

**1. Site Description and Proposal**

- 1.1 The application site comprises a stone cottage, outbuildings and a long but narrow garden area extending along the western side of the A466 about 1km to the south of Llancloudy. The house is situated close to the southern apex of the site and is close to the highway.
- 1.2 It is proposed to demolish the White House and erect a replacement dwelling. The latter would be sited about 30m to the north of the existing dwelling and close to the western boundary of the site. The house would be rectangular in footprint with a gabled slate roof and rendered externally. It would be about 13m wide x 6.6m deep x 6.5m to ridge with a 35 degree pitch roof. This has been reduced in depth by about 1.3m compared to the original submission but increased in length by 1.5m. The site rises to the west and the new house would be cut into the bank at the rear.
- 1.3 It is also proposed to demolish a group of buildings near the house and cease the lawful commercial use.

**2. Policies**

**2.1 Planning Policy Guidance**

PPS.7                      -              Sustainable Development in Rural Areas

**2.2 Hereford and Worcester County Structure Plan**

Policy H.16A            -              Development Criteria  
Policy H.20              -              Housing in Rural Areas

**2.3 South Herefordshire District Local Plan**

Policy C.1                -              Development within Open Countryside  
Policy SH.11            -              Housing in the Countryside  
Policy SH.21            -              Replacement Dwellings  
Policy GD.1             -              General Development Criteria  
Policy T.3                -              Highway Safety Requirements

**2.4 Unitary Development Plan (Revised Deposit Draft)**

Policy H.7                -              Housing in the Countryside outside Settlements  
Policy HBA.8            -              Locally Important Buildings

**3. Planning History**

- 3.1 SE1999/2342/F Change of use for parking of small lorry - Deemed Withdrawn 03.07.01
- SE2000/1289/U The use of land for the parking and storage of plant and machinery and the parking of one lorry and use of workshop for maintenance - Certificate of Lawful Use or Development 26.06.00
- SE2002/1958/S Building for general storage of machinery and fodder - Planning Permission Required 07.08.02

**4. Consultation Summary**Statutory Consultations

- 4.1 Environment Agency have no objection.

Internal Council Advice

- 4.2 Traffic Manager notes that the proposed access is to the north onto the private road to Hill Farm which is a great improvement on the access to the south directly onto the A466 road. Conditions are recommended.

**5. Representations**

- 5.1 The applicant's agent makes the following submission:

I enclose an amended sketch which I have discussed with my client. The sketch plan is 1m narrower and 1.5m longer.

I have re-checked my calculations for volumes, working from floor levels and ignoring chimney stacks above roof level; and the volumes are:

Existing: Kitchen/Bathroom area		
11.81 x 3.12 x 3.25	=	119.7
End Stack		
2.71 x .58 x 5.1	=	8.0
Main House		
11.59 x 4.53 x 5.3	=	278.3
Porch		
2.43 x 1.1 x 2.4	=	6.4
Sitting Room		
2.65 x 4.36 x 2.8	=	32.4
		444.8 say 445m <sup>3</sup>
New Volume (see sketch)	=	533m <sup>3</sup>
Increase % = $\frac{88}{445}$	=	19.8%



In addition, the applicant's agent states the following:

"It is proposed to position the new house about 30m away from the site of the existing house. The new site has the following advantages:

1. The proposed site is lower down the hill side
2. The proposed site is sheltered by a screen consisting of a tall hedge with ash, cherry, walnut and other trees.
3. The front of the existing house is very close to, and visible from, the A466. The new position will reduce traffic noise, allow front garden space and it will not be readily visible from the road.

The proposed house is simple in design, utilising traditional materials and is considered to be in keeping with other properties of the area."

5.2 Llangarron Parish Council objects to the planning application because we have reservations about the proposed location of the new property and there is no explanation as to why it is being built on a new site.

5.3 Welsh Newton Parish Council (adjoining) have no objections to the proposal.

The full text of these letters can be inspected at Southern Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

## **6. Officers Appraisal**

6.1 The erection of a replacement dwelling is in principle one of the exceptions to the Council's policy of resisting further residential development in the open countryside. Policy SH.21 sets out a number of criteria to be met, as follows:

- (i) the existing building is clearly recognisable as a permanent dwelling and has not been used for any other purpose since last occupied;
- (ii) the existing building is not of architectural or historic interest which it is desirable to retain;
- (iii) the replacement is of a size and scale similar to that of the original dwelling and is on the same site;
- (iv) the replacement has safe vehicular access and has no adverse effect on passing traffic;
- (v) the replacement fulfils the criteria of GD.1."

6.2 The existing house is not considered to be of particular historic or architectural interest and there are not considered to be good grounds to resist demolition and replacement in this case. In volume, the new house is larger by about 20%. The existing house appears not to have been extended in recent years and a 20% increase would normally be acceptable. If planning permission is granted for a new house this can be subject to a condition removing permitted development rights for further extension. In these circumstances it is considered that the proposal meets the criterion relating to size.

- 6.3 The house would not be on the same site. Nevertheless the reasons given by the applicant (see paragraph 5.1 above) are understandable. As noted the new site would be on lower ground with its floor level about 3m lower, set back from the highway and with existing planting to the rear. There is less planting than that around the existing house but nevertheless the proposed house would not be significantly more prominent in the landscape. In time a landscaping scheme required by a planning condition could help to reduce further the visual impact of the new house.
- 6.4 The design and materials proposed are considered to be acceptable. The revised scheme is not as deep as originally submitted and although this is still greater than the existing it is considered that in style and scale the new house is not dramatically different.

## **RECOMMENDATION**

**That planning permission be granted subject to the following conditions:**

**1. A01 (Time limit for commencement (full permission) )**

**Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.**

**2. B01 (Samples of external materials )**

**Reason: To ensure that the materials harmonise with the surroundings.**

**3. F48 (Details of slab levels )**

**Reason: In order to define the permission and ensure that the development is of a scale and height appropriate to the site.**

**4. G04 (Landscaping scheme (general) )**

**Reason: In order to protect the visual amenities of the area.**

**5. G05 (Implementation of landscaping scheme (general) )**

**Reason: In order to protect the visual amenities of the area.**

**6. E16 (Removal of permitted development rights )**

**Reason: In order to protect the visual amenities of the area.**

**7. H12 (Parking and turning - single house )**

**Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.**

**8. Prior to the occupation of the development hereby approved the driveway shall be consolidated, surfaced and drained in accordance with details to be submitted to and approved in writing by the local planning authority.**

**Reason: In order to ensure that a suitable access is provided.**

- 9. Within two months of completion of the dwelling hereby approved the existing dwelling and all commercial building within the area outlined in red on the plan attached to this permission shall be demolished and all materials reoved from the land.

Reason: It would be contrary to the Council's policies to allow two dwellings in this rural location.

**Informative(s):**

- 1. N15 - Reason(s) for the Grant of Planning Permission

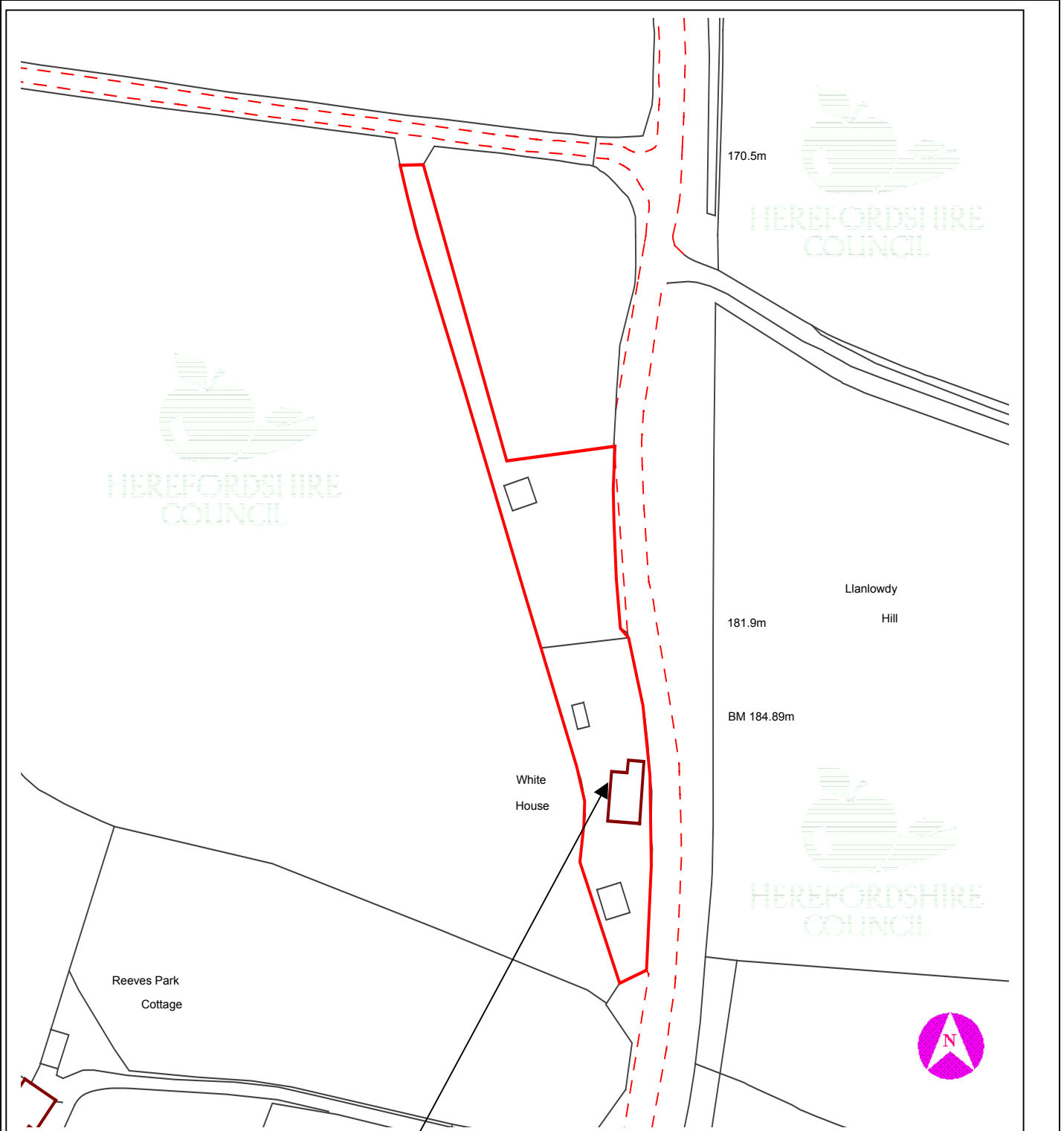
Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** DCSE2004/2864/F

**SCALE :** 1 : 1250

**SITE ADDRESS :** White House, Llancloudy, Hereford, Herefordshire, HR2 8QP

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**10 DCSE2005/1374/F - CHANGE OF USE OF 9 HOLIDAY COTTAGES TO RETIREMENT CENTRE, WYE LEA COUNTRY MANOR, BRIDSTOW, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6PZ**

**For: Mr C Bateman per M E Thorne & Co, The Ridge, Buckcastle Hill, Bridstow, Ross on Wye**

Date Received: 27th April, 2005

Ward: Llangarron

Grid Ref: 58203, 25637

Expiry Date: 22nd June, 2005

Local Member: Councillor Mrs. J.A. Hyde

**1. Site Description and Proposal**

1.1 Wye Lea is a holiday centre situated close to the west bank of the River wye to the north of Bridstow. It comprises self-catering holiday accommodation, including a number of converted buildings and 6 modern purpose-built units, plus a swimming pool and leisure centre, restaurant and extensive grounds and facilities, including fishing rights. The current proposal is the response to a recent decline in bookings, which according to the applicant, put in question the future viability of the enterprise.

1.2 It is now proposed to change the use of 6 of the modern units (the manager's flat is excluded) and 3 of the remaining holiday units into retired persons' accommodation. The units would be leased or rented and contribute to maintenance of the site as a whole.

**2. Policies**

**2.1 Planning Policy Guidance**

PPS.7 - Sustainable Development in Rural Areas

**2.2 Hereford and Worcester County Structure Plan**

Policy CTC.1 - Development in Areas of Outstanding Natural Beauty  
 Policy CTC.2 - Development in Areas of Great Landscape Value  
 Policy CTC.13 - Buildings of Special Architectural or Historic Interest  
 Policy CTC.14 - Criteria for the Conversion of Buildings in Rural Areas  
 Policy H.20 - Residential Development in Open Countryside

**2.3 South Herefordshire District Local Plan**

Policy C.1 - Development within Open Countryside  
 Policy C.5 - Development within Area of Outstanding Natural Beauty  
 Policy C.8 - Development within Area of Great Landscape Value  
 Policy C.36 - Re-use and Adaptation of Rural Buildings  
 Policy C.37 - Conversion of Rural Buildings to Residential Use  
 Policy SH.11 - Housing in the Countryside

**2.4 Unitary Development Plan (Revised Deposit Draft)**

Policy H.7	-	Housing in the Countryside outside Settlements
Policy LA.1	-	Areas of Outstanding Natural Beauty
Policy HBA.12	-	Re-use of Traditional Rural Buildings
Policy HBA.13	-	Re-use of Traditional Rural Buildings for Residential Purposes

**3. Planning History**

3.1	SH850645PF	Change of use of first floor to two holiday suites	-	Approved 25.10.86
	SH850877PF	Conversion to form 3 holiday cottages, erection of covered swimming pool	-	Approved 25.10.86
	SH871326PF	6 holiday cottages with caretaker's flat	-	Approved 25.11.87
	SH880057PF	Alterations & extensions to cottage	-	Approved 08.02.88
	SH910236PF	Removal of Condition 2 (SH871407PF)	-	Approved 01.05.91
	SH910958PF	Squash court and tennis court	-	Approved 11.10.91
	SH921435PF	Removal of Condition 2 (SH910236PF)	-	Approved 13.01.93
	SH941107PF	New entrance, drive and car parking for 57 cars	-	Approved 19.10.94
	SH941108PF	Leisure building	-	Approved 19.10.94
	SH950662PF	Conservatory extension to restaurant	-	Approved 27.07.95
	SE2002/0327/F	6 holiday cottages, tourist information centre and offices, manager's house, shift manager's room and machinery store	-	Appeal Dismissed 19.03.03
	SE2003/1502/F	6 holiday/letting units, information centre and machinery store; creation of lake	-	Approved 11.10.03
	SE2003/1859/F	Extension to manager's house, office and relief manager's bedroom and detached garage	-	Approved 14.08.03
	SE2003/3554/F	Removal of Condition 3 of SE2003/1859/F	-	Approved 21.01.04

#### **4. Consultation Summary**

##### Statutory Consultations

- 4.1 No statutory or non-statutory consultations required.

##### Internal Council Advice

- 4.2 Traffic Manager has no objection to the grant of permission.
- 4.3 Tourism Officer has commented verbally, a written response is awaited.

#### **5. Representations**

- 5.1 A detailed letter from the applicant's agent explaining the background to the proposal is included as an appendix to this report. In addition, the sales particulars and letters from the applicant's estate agent regarding the marketing of the enterprise have been submitted.
- 5.2 Parish Council has no objections to the proposal.
- 5.3 Two letters have been received which support the proposal. It is pointed out that:
- the holiday complex has been an asset to the village but even better as retirement housing
  - it is difficult to find suitable retirement accommodation
  - easier to retain independence if security and part of a small community
  - a splendid proposal.

The full text of these letters can be inspected at Southern Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

#### **6. Officers Appraisal**

- 6.1 Tourism is actively encouraged in the Development Plan and the loss of a significant part of Wye Lea would diminish the range of self-catering accommodation in the County. However the Tourism Officer confirms that there is an over-provision of such accommodation. This and changes in the type of holidays people take may at least partly explain the sudden and serious decline in bookings over just a few years. Even two years ago the applicant was seeking to expand his accommodation and facilities.
- 6.2 The Council's policy for change of use of rural buildings is to encourage use for commercial purposes. In this instance it is accepted that there are unlikely to be alternative uses that would benefit the local economy and the centre has therefore been marketed appropriately for holiday purposes. Whilst fixing a sale price that would attract interest cannot be done with certainty the estate agent confirms that in his view 'the price being asked for the complex is realistic in the present market' bearing in mind that reasonable offers would be considered. As at the beginning of June 2005 after 6 months of marketing there had been 'not a single response' (letter from agent). On this basis it is considered that the holiday centre has been marketed as required in the Council's Supplementary Planning Guidance.

6.3 It follows that residential use can be considered, there being no realistic prospect of commercial/tourism use. The proposal of elderly people’s housing is not ideal, in that current policies encourage new housing and residential homes in locations close to public facility and on public transport routes. Nevertheless this is not sufficient grounds to refuse permission it is considered.

6.4 In view of the financial position of the business there is no justification for building the 6 new units and other provision granted permission but not yet implemented. It is recommended that a Section 106 agreement should be entered into to ensure that further tourism development does not go ahead before planning permission is granted for the current proposal.

**RECOMMENDATION**

**That : (i) The County Secretary and Solicitor be authorised to complete a planning obligation under Section 106 of the Town and Country Planning Act 1990 to ensure:**

- 1. That the 6 holiday letting units, information centre, extension to manager's house, office and shift manager's bedroom approved under SE2003/1502/F, SE2003/1859/F and SE2003/3554/F not be implemented.**
- 2. The occupation of the retirement centre accommodation be limited to elderly people.**

**(ii) Upon completion of the aforementioned planning obligation, officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following condition and any other conditions considered necessary by officers:**

- 1. A01 (Time limit for commencement (full permission))**

**Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.**

**Informative:**

- 1. N15 – Reason(s) for the Grant of Planning Permission**

Decision: .....

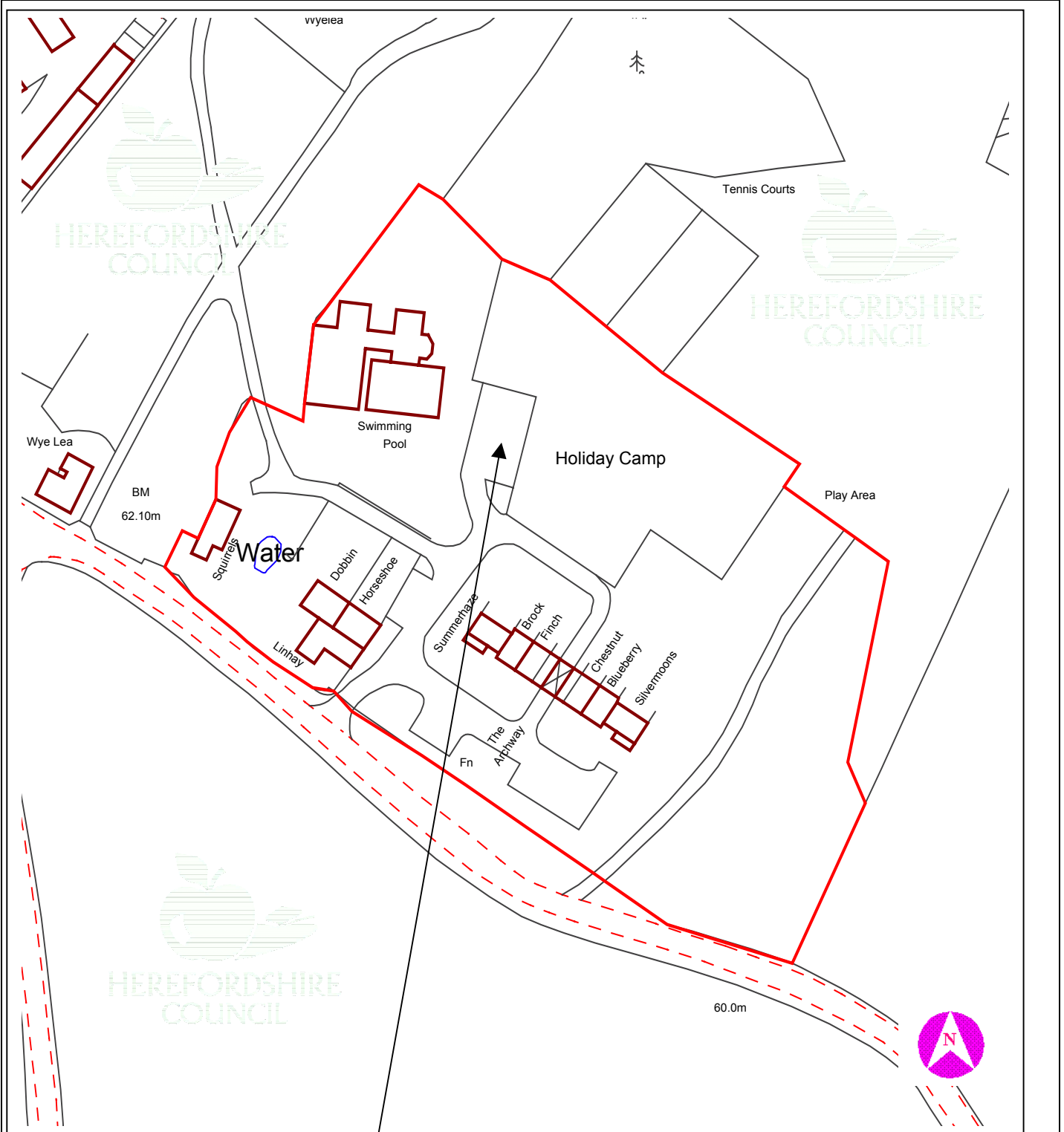
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**Background Papers**

Internal departmental consultation replies.





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**APPLICATION NO:** DCSE2005/1374/F

**SCALE :** 1 : 1250

**SITE ADDRESS :** Wye Lea Country Manor, Bridstow, Ross-on-Wye, Herefordshire, HR9 6PZ

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SE 05 / 1374 / F 1

**M.E.Thorne & Co.**

ARCHITECTURAL & ENGINEERING CONSULTANTS

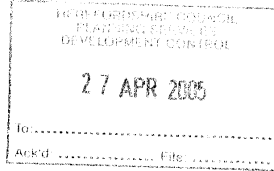
THE RIDGE, BUCKCASTLE HILL, BRIDSTOW, NR. ROSS-ON-WYE, HEREFORDSHIRE. HR9 6QF Telephone / Fax (01989) 563317

Martin E. Thorne BSc C. Eng MICE

Architectural, Town Planning  
Civil & Structural Engineering  
and Surveying Services

26 April 2005

The Planning Officer,  
The Herefordshire Council,  
PO Box 230,  
Blueschool House,  
Hereford HR1 2ZB



Dear Sir/Madam,

**CHANGE OF USE OF WYE VALLEY COUNTRY MANOR FROM HOLIDAY LETTING TO A RETIREMENT CENTRE**

On behalf of Mr Colin Bateman, I enclose an application seeking planning permission to change the use of the 9 no. units of holiday accommodation at Wye Lea Country Manor, from holiday letting to retired persons accommodation. This application comprises the Application Form, Certificate A, a cheque for £265.00 and six copies each of a Site Plan on which the 9 no. existing holiday letting units are highlighted in pink and a Location Plan on which the extent of the site is shown edged in red.

In considering this application, will you kindly note the following:

**The extent of the current application:**

1. The existing Manager's House and the existing Warden's Flat (in the centre of the main block of 6 no. holiday letting units) are excluded from this application, as they are not covered by the restriction that limits the other 9 no. units to holiday letting, as also are the existing Swimming Pool and Leisure Centre buildings, which would be retained as existing.
2. Likewise not included in this application are the additional facilities to the existing Holiday Centre as approved under planning permission DCSE2003/1502/F nor the alterations to the existing Manager's House as approved under planning permission DCSE2003/1859/F. In fact, apart from the provision of the lake, no steps have yet been taken to implement those approvals and, unless the present downward trend in the demand for the sort of facilities available at Wye Lea changes drastically, it is unlikely that they ever will be provided.

**The reason for this application:**

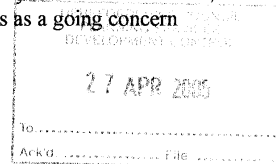
3. At our meetings with Messrs Willmont and Holder on 7 September 2004 and 11 April 2005, Mr Bateman and I stressed to them that the previous successful use of Wye Lea Country Manor as one of the country's leading centres of holiday accommodation, with well fitted units of holiday accommodation, set in extensive landscaped gardens with immediate access to numerous leisure activities, appeared to be unsustainable due to a serious drop in demand since the year 2000, in spite of all efforts made by Mr Bateman to turn this unsatisfactory situation around. I regret to have to tell you that the downward trend in holiday lettings has continued this season and that Mr Bateman sees no alternative other than to seek alternative use for the existing holiday letting units. Hence this application.

**Evidence of the unsustainability of the existing use:**

4. In my letter dated 23 November 2004, I referred to the fact that Mr Bateman's detailed records showed a year on year decline of 28.15% between year ended 31 October 2000 and year ended 31 October 2004. This decline in demand has continued into the current year which shows a 11.8% reduction for the period to 1 April 2005 compared with the same period last year, in spite of every effort being made to prevent this, including (i) the retention of a PR company which submits weekly press releases to all relevant national and local papers and magazines, (ii) the production and distribution of a lavish new brochure, a copy of which was sent to you under cover of my letter dated 30 December 2004, and (iii) his offering various discounted packages, three nights for the price of two, etc., and complete flexibility of when the accommodation might be taken up. None of these efforts have changed the basic decline in demand for the facility which is fully detailed in Mr Bateman's records which can be made available, if required.
5. You may also wish to contact Mr Weightman of Ian Weightman Media Services who works for Hereford Tourism whom Mr Bateman has contacted for advice. Mr Weightman's opinion as a professional in the business was that he was well aware of Wye Lea's high profile in the market place, that Mr Bateman was doing everything right and that he (Mr Weightman) felt that he had nothing useful to suggest additional to what Mr Bateman was already doing.
6. The reasons deduced for this decline and the present unsustainability of the existing holiday letting use are taken to be (i) the low cost of airline flights to holiday destinations abroad where sunshine can be guaranteed, (ii) the fact that VAT is levied at 17½% on tourist facilities in Britain compared with 6% to 8% abroad, which places Mr Bateman's facility at an immediate financial disadvantage, (iii) the fact that many holiday letting cottages in Britain are small scale operations where VAT is not charged at all, (iv) the fact that Wye Lea is a high quality low density development where the laws of economics prevent lower prices being charged and (v) the adverse affect of the internet, which is seen very much as a two edged sword, in spite of the excellent web site that Mr Bateman has commissioned, a pay-per-click campaign and a supplementary 'blog' web site.

**Possible alternative owners for the existing business:**

7. At our meetings with Messrs Willmont and Holder, the point was made that we need not only to point out the unsustainability of the existing use but also to satisfy the LPA (i) that no-one else was interested in taking over the existing business and (ii) that we have sought all possible commercial alternatives before seeking the current change of use.
8. Mr Bateman has rejected the suggestion that Wye Lea be placed on the Council's Property Register because of his fear of the adverse publicity this would generate but has instructed John Goodwin, Chartered Surveyor, of Ledbury to market Wye Lea for him as a going concern. To date Mr Goodwin's efforts have been without tangible result and I enclose a copy of his letter dated 14 April 2005 which confirms this. Mr Bateman has also contacted Holiday Property Bond to see if they would be interested in taking Wye Lea over but that approach has also been unsuccessful.
9. In this context it is also a fact that Mr and Mrs Bateman run the existing business themselves, thus keeping overheads as low as is conceivably possible, and it is no doubt a consideration of anyone considering purchasing the business as a going concern that overheads would rise immediately if managerial staff had to be employed to run it. In short, the return that could be anticipated from anyone buying the business as a going concern would not justify the investment.



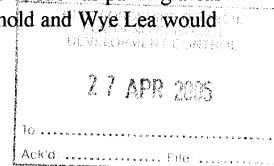
10. I trust that the above detailed information provides you with the information required to prove not only that the present use of Wye Lea is unsustainable but also that, in the present economic circumstances, it is not a viable commercial proposition to any one else.

**Alternative uses:**

11. In addition to the current proposal to convert the existing holiday letting units into units of accommodation for retired persons, Mr Bateman has considered (i) taking the present holiday use 'down market', (ii) developing the existing holiday letting use as a conference centre or similar and (iii) selling the individual units on the open market as holiday cottages.
12. At our meetings with Messrs Willmont and Holder it was accepted, I believe, that the original objections to developing Wye Lea for holiday use would very much be upheld and justified if, indeed, the present very acceptable and environment enhancing use of this high quality low volume development were to be changed to low quality high volume, since this would inevitably lead to greater traffic using the site and inevitable pressures for noisier and more intrusive facilities on the site. We do not believe, therefore, that 'going down market' is a viable option on this site in an Area of Outstanding Natural Beauty.
13. The concept of a conference centre of some sort is attractive but fails to stand up to detailed consideration. Firstly, the existing accommodation is all cottage style, aimed at self catering with one or more generally double bedrooms using a common bathroom, and is thus totally unsuitable for conference centre use which demands mainly single bedrooms with en-suite facilities throughout. Secondly, there is at present no conference suite with its attendant dining and toilet facilities. In short, the existing holiday letting units are not practicable in terms of accommodating the numbers required to make the conference centre concept viable nor are there any associated conference facilities.
14. Selling the individual units on the open market as holiday cottages is also superficially attractive and would, of course, involve no change of use. However, experience elsewhere, notably on a site in Cornwall that Mr Bateman knows well, proves that this is impracticable and leads to a deterioration in the amenity quality of the site because of lack of control over the people using the site and the maintenance of the individual units and their surroundings. It is Mr Bateman's over-riding concern to maintain the present high quality of the Wye Lea site in the interest of both local people and the Area of Outstanding Natural Beauty in which it is set, which has convinced him that the proposed change of use to retired persons accommodation is the best alternative.

**Change of use to retired persons accommodation:**

15. In considering the proposed change of use from holiday letting units to units of accommodation for retired persons, we would draw your attention to the fact that this alternative use would have the obvious immediate advantage of not changing the actual day-to-day use of the site to any appreciable extent in terms of traffic generation or noise or disturbance to neighbours, all of which are material considerations. Thus, we submit that this use is not only the only viable alternative but also a positively attractive alternative, particularly suited to this sensitive site.
16. We would also emphasise that this is not an application for new dwellings in the open countryside where existing planning policies would suggest automatic refusal but rather a specific application to meet a specific social need, namely that for retired persons to live in peace and security. Furthermore, because of the need to maintain both the existing landscaped grounds around the dwelling units and common features such as parking areas and the sewage treatment plant, the units would not be sold freehold and Wye Lea would



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remain as a unit under single ownership, with the dwelling units leased or rented to their occupiers who would pay a ground rent towards the upkeep of these common facilities.

17. To ensure that these proposals are maintained into the future, we believe that it is appropriate for the currently sought planning permission to be linked to a Section 106 Agreement which would limit the occupation of the dwelling units to retired persons and their carers and I would confirm Mr Bateman's willingness to enter into such an Agreement if appropriate.

**Generally:**

18. As a final comment in support of this application, may I quote Mr Willmont's comment that it would be *'disastrous if the present properly serviced buildings remained empty'* and express the hope that we have provided you with all the information you require to approve this application. Nevertheless, if you have any queries or require further information of any kind, would you please contact me for further discussion as appropriate.

Yours faithfully,



Martin Thorne

