

10 DCSE2007/0332/F - CONTINUED USE OF LAND FOR STORAGE OF VEHICLES. NEW FENCE AND GATE AND LANDSCAPING TO EASTERN BOUNDARY AT COTHARS BARN YARD, GORSLEY, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7SE.

For: Mr. W. Maguire, 40A Edgar Street, Hereford, HR4 9JS.

Date Received: 2nd February, 2007 Ward: Penyard Grid Ref: 67000, 25925

Expiry Date: 30th March, 2007

Local Member: Councillor H. Bramer

1. Site Description and Proposal

- 1.1 The site is located to the west of the village of Gorsley and to the southeast of the M50. Access to the site is gained from an unclassified road (U70228). The surrounding area is characterised by loose knit sporadic development and agricultural land. The land slopes gradually within the site downhill from the northwest to the south and southeast. In planning policy terms the site is within open countryside.
- 1.2 The site comprises a large former agricultural building converted to provide an indoor swimming pool and granny annexe for use by the adjacent dwelling 'Cothars'. The building is set back from the road by approximately 20 metres.
- 1.3 The application is retrospective to continue the use of the land for vehicle storage located on the block-paved yard surrounding the swimming pool and granny annexe building. The site was previously used for vehicle sales. An enforcement notice was served on 1st September 2005 requiring the cessation of vehicles sales from the site. The notice was appealed and the decision upheld on 15th March 2006. This application proposes to regularise the storage of vehicles. It is proposed to restrict the storage of the vans to the rear of the site by erecting a 2.4m high fences and gate from the front of the building to the boundary of the site.

2. Policies

2.1 Planning Policy Guidance

- | | | |
|-------|---|---|
| PPS.1 | - | Delivering Sustainable Development |
| PPG.4 | - | Industrial and Commercial Development and Small Firms |
| PPS.7 | - | Sustainable Development in Rural Areas |

2.2 Herefordshire Unitary Development Plan 2007

- | | | |
|-------------|---|--------------------------|
| Policy S.1 | - | Sustainable Development |
| Policy S.2 | - | Development Requirements |
| Policy S.4 | - | Employment |
| Policy DR.1 | - | Design |
| Policy DR.2 | - | Land Use and Activity |

- Policy E.8 - Design Standards for employment sites
- Policy E.11 - Employment in the Smaller Settlements and Open Countryside

2.3 Hereford and Worcester County Structure Plan

- Policy CTC.9 - Development Requirements

2.4 South Herefordshire District Local Plan

- Policy GD.1 - General Development Criteria
- Policy C.1 - Development within open countryside
- Policy ED.6 - Employment in the open countryside

3. Planning History

- | | | | | |
|-----|-----------------|--|---|-----------------------------------|
| 3.1 | DCSE2003/2443/F | Conversion of barns to form swimming pool and granny annexe incorporating change of use of the land from agriculture to residential cartilage. | - | Approved
5.11.2003 |
| | EN2005/0054/ZZ | Without planning permission, change of use of the land for the sale of vehicles | - | Appeal
dismissed
15.03.2006 |

4. Consultation Summary

Statutory Consultations

- 4.1 No statutory or non-statutory consultations required.

Internal Council Advice

- 4.2 The Traffic Manager suggests that the existing close boarded fence along the roadside boundary is set back to achieve visibility to the apex of the bend to the west of the access. At present it follows the curvature of the road and obscures visibility.
- 4.3 The Conservation Manager comments are awaited.

5. Representations

- 5.1 Linton Parish Council makes the following observations:

The Council doesn't support as they have ignored enforcement notices and continued to trade

The full text of these letters can be inspected at The Hereford Centre, Garrick House, Widemarsh Street, Hereford and prior to the Sub-Committee meeting.

6. Officer's Appraisal

- 6.1 In an assessment of the appropriateness of the use of the land for vehicle storage it is necessary to establish the criteria for employment generating uses in the open countryside. Local Plan Policies C.1 and ED.6 of the South Herefordshire District Local Plan and Policy E.11 of the Herefordshire Unitary Development Plan specifies that

proposals for employment generating uses will only be permitted providing the proposal is required for the essential operation of agriculture, forestry or the winning of minerals, a farm diversification or tourism project, or the re-use or adaptation of a rural building. It is evident that the use of the land for vehicle storage does not satisfy these policy requirements.

6.2 Whilst the area is not subject to any national or local landscape designation it is considered that the parking of vehicles on the site adversely impacts upon the character and appearance of the locality and has a harmful impact upon the rural environment. The applicant has proposed additional planting to the eastern boundary to screen the vehicles stored on site, whilst this may aid to screen the development there is no guarantee that the planting will not be damaged or die. In any event the question of what is in principle unacceptable development remains.

6.3 Planning Policy Statement 7 – Sustainable Development in Rural Areas advises that Planning authorities should support a wide range of economic activity in rural areas (paragraph 5). Set against this however are the countryside policies that seek to protect the landscape and character of rural areas. It is of note that PPS7 also states ‘All development in rural areas should be well designed and inclusive, in keeping and scale with its location, and sensitive to the character and local distinctiveness’ (Paragraph 1. (vi)). Clearly a balance must be struck between support for rural economic activities, and the preservation of the landscape and character of the rural area. In this case it is considered that the continued use of the site for the storage of vehicles has an adverse impact upon the appearance of the landscape and is out of keeping with the character of this countryside location. The support for local businesses should not be at a cost to the local environment, as is the case here. This advice is also echoed in Planning Policy Guidance 4 – Industrial and Commercial Development and small firms.

6.4 In addition, the proposed use is considered to be unsustainable and an inappropriate use of land in this location in the open countryside. Policy DR.2 of the Herefordshire Unitary Development Plan promotes sustainable development and requires all development to be located so as to facilitate a genuine choice of modes of transport and incorporates wherever a mix of compatible land uses. Employees will inevitably access the site by car and the vehicles will be transported to and from the site for sale at another premises. The use would encourage vehicle generation. In addition, the use of the land for storage of vehicles, in the open countryside, surrounded by agricultural land is not considered to be a compatible land use.

RECOMMENDATION

That planning permission be refused for the following reason:

- 1 The continued use of the land for vehicle storage would, in view of its location in the open countryside be contrary to policies C1 and ED6 of the South Herefordshire District Local Plan and policies DR2 and ED11 of the Herefordshire Unitary Development Plan.**

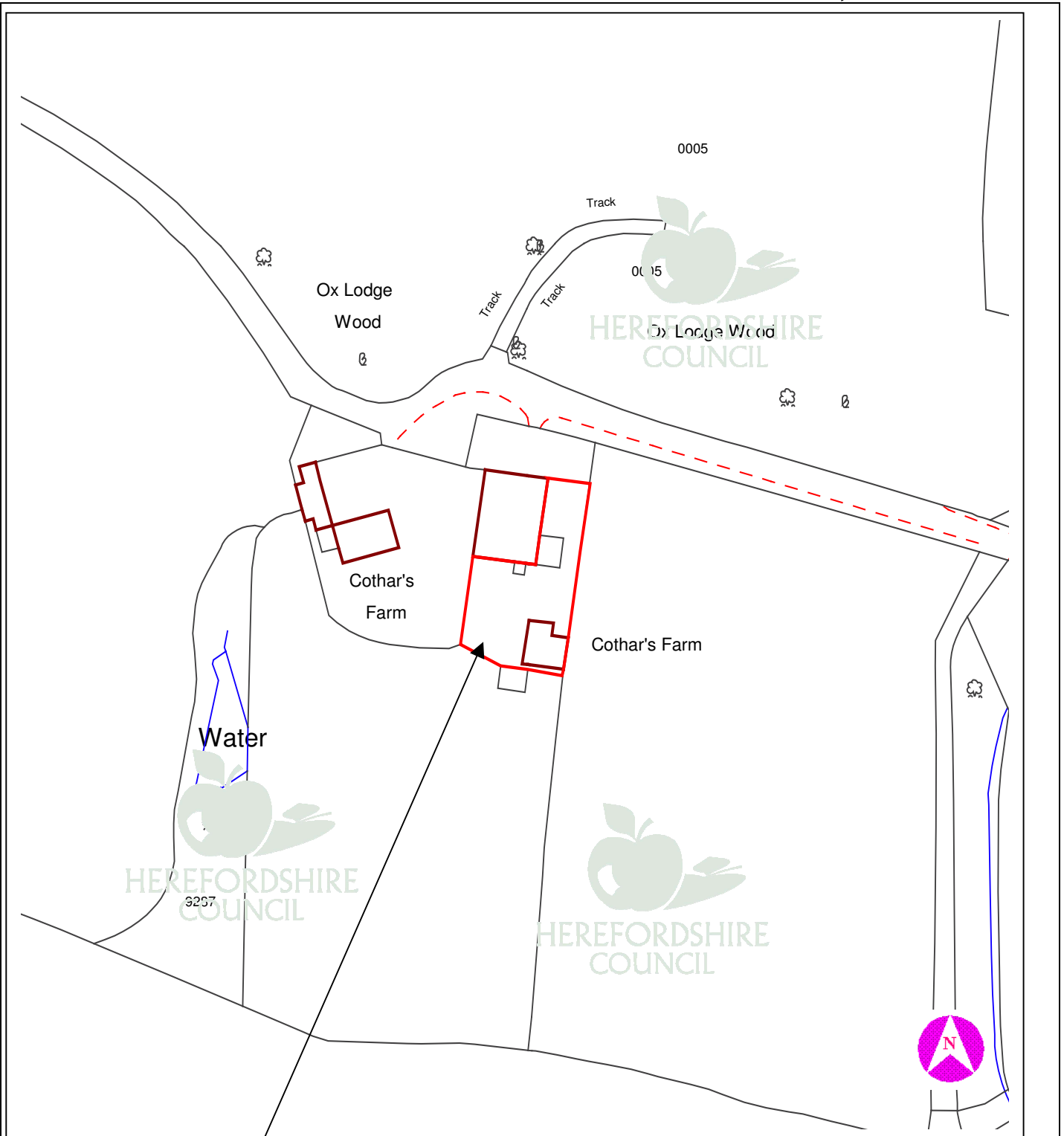
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE2007/0332/F

SCALE : 1 : 1250

SITE ADDRESS : Cothars Barn Yard, Gorsley, Ross-on-Wye, Herefordshire, HR9 7SE

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