

**16 DCNW2007/2326/F - PROPOSED AREA FOR THE
DISPLAY OF DECORATIVE GARDEN PRODUCTS AT
THE OAKS, MARSTON, PEMBRIDGE,
HEREFORDSHIRE HR6 9HZ**

**For: Mr & Mrs A Davies per McCartneys, 7 Broad
Street, Leominster, Herefordshire HR6 8BT**

Date Received:

18th July 2007

Expiry Date:

12th September 2007

Local Member: Councillor R Phillips

**Ward: Pembrige &
Lyonshall with Titley**

Grid Ref:

36559, 57297

1. Site Description and Proposal

- 1.1 The application site is a green field located in open countryside adjacent to a stable block and yard. Access to the site is obtained from an unclassified public highway (91418) that adjoins the western boundary of the application site.
- 1.2 The application proposes an ornamented landscaped area for the display of decorative garden products, consisting of a series of paths constructed with different sized and colour decorative gravels to allow potential customers to view a variety of garden products. Also, forming part of the application, is a proposal for a gazebo to provide an office facility.
- 1.3 The application is accompanied by an accountant's letter, explaining that the proposal has a prospect of being a viable business given adequate facilities. Also, accompanying the application are 6 supporting letters from members of the public and potential customers, as well as a petition signed by 8 local residents.

2. Policies

- 2.1. Planning Policy Statement 7: Sustainable Development in Rural Areas.
- 2.2. Herefordshire Unitary Development Plan

S3 - Sustainable development
S2 - Development requirements
S3 - Employment
DR1 - Design
DR2 - Land use and activity
DR3 - Movement
DR4 - Environment
E8 - Design standards for employment sites.
E11 - Employment in the smaller settlements and open countryside.
E15 - Protection of green field land.

LA2 - Landscape character and areas least resilient to change.
LA5 - Protection of trees, woodlands and hedgerows.

3. Planning History

- 3.1. NW0711279/F - Proposed area for the display of decorative garden products - Refused 15th June 2007.
- 3.2. NW04/2545/f - Timber stable block - Approved 3rd September 2004.

4. Consultation Summary

Statutory Consultations

- 4.1 None required

Internal Council Advice

- 4.2. The Public Rights of Way Manager raises no objections.
- 4.3. The Transportation Manager objects to the application, if total projected trips to the site exceed 10 per day, because of highway safety and sustainability.

5. Representations

- 5.1. Pembridge Parish Council - A verbal report will be presented on their response.

6. Officer's Appraisal

- 6.1 The main issues of concern in relationship to this application are:-

- sustainability
- public highway access
- impact on landscape character

6.2. Sustainability

The site is located in open countryside, outside a designated settlement boundary and forms part of a green field site with no buildings upon it.

- 6.3 Policy S1: emphasises how development proposals must protect and enhance the natural environment, respect local landscape character, regenerate previously developed land, direct new development to sites that best meet the appropriate sustainable development criteria, while reducing the need to travel, making use of different modes of transport from that of personal motor transport.

- 6.4. The site for the proposed development is in open countryside on a green field site with no existing buildings and served by an unclassified public highway (U9141P) with no evidence of access by alternative modes of transport.

6.5 The application proposes the creation of a business to display decorative garden products along with a gazebo for use as an office and, therefore, very domestic in appearance on a site in open countryside, and hence not respecting the local landscape's distinctive character. Neither does the proposed use have any functional relationship with any nearby use. No audited accounts have been submitted to support the viability of the business. For these reasons the application does not comply with Policy S1: Sustainable Development of the UDP or the relevant criteria of Planning Policy Statement 7: Sustainable Development in Rural Areas.

6.6. Policy E11: Employment in the smaller settlements and open countryside emphasises that development proposals in locations such as this will not be permitted, unless it is an operation of agriculture, forestry or mining of minerals, represents a form of farm diversification or re-use of a rural building in accordance with Policies HBA12 and HBA13. The proposal does not meet these criteria and consequently does not comply with Policy E11.

6.7 Public Highway Access

The Transportation Manager has recommended refusal to the application if total projected trips to the site exceed 10 per day, on the grounds of highway safety and sustainability.

6.8 The applicants, in their Design and Access Statement, have stated that it is anticipated that, during the summer, opening times will be 9.00 am until 5.30 pm Tuesday – Saturday and 10 am until 4.00 pm on Sundays, with more limited opening hours during the winter months, to allow for darkness. The statement further states that there will be at least one member of staff on site at any one time, along with one or two part-time staff.

6.9 Anticipated vehicles movements to and from the site are difficult to predict. However, in order for the business to be viable, in consideration of its opening hours and staffing arrangements, visitor traffic, along with vehicle movements to service the site, is likely to exceed 10 on many days.

6.10 Impact on Landscape Character

The application proposes ornamental garden development in the open countryside, completely divorced from any domestic habitations such as dwelling houses, with no essential need for locating to this specific site. The proposal, therefore, will have an adverse affect on the overall character of the landscape, with no demonstration provided as to why the landscape character has influenced the design, scale, nature and site selection of the proposal. Therefore, the application is also contrary to Policy LA2 – Landscape Character and Areas Least Resilient to Change of the UDP.

6.11 Therefore, in consideration of sustainability issues and impact on landscape, this application does not conform with relevant national and local policies, and cannot be supported.

RECOMMENDATION

That planning permission be refused for the following reason:-

The proposed development represents a form of unsustainable development in a rural location, unlikely to be accessed by modes of transport other than private motor vehicles. Furthermore the proposal will also have a detrimental impact on the landscape character of the surrounding area by means of its domestic nature.

Therefore, the proposed development is contrary to policies S1, S2, DR2, DR3, DR4, E11 and LA2 of the Herefordshire Unitary Development Plan 2007 and Planning Policy Statement 7 Sustainable Development in Rural Areas.

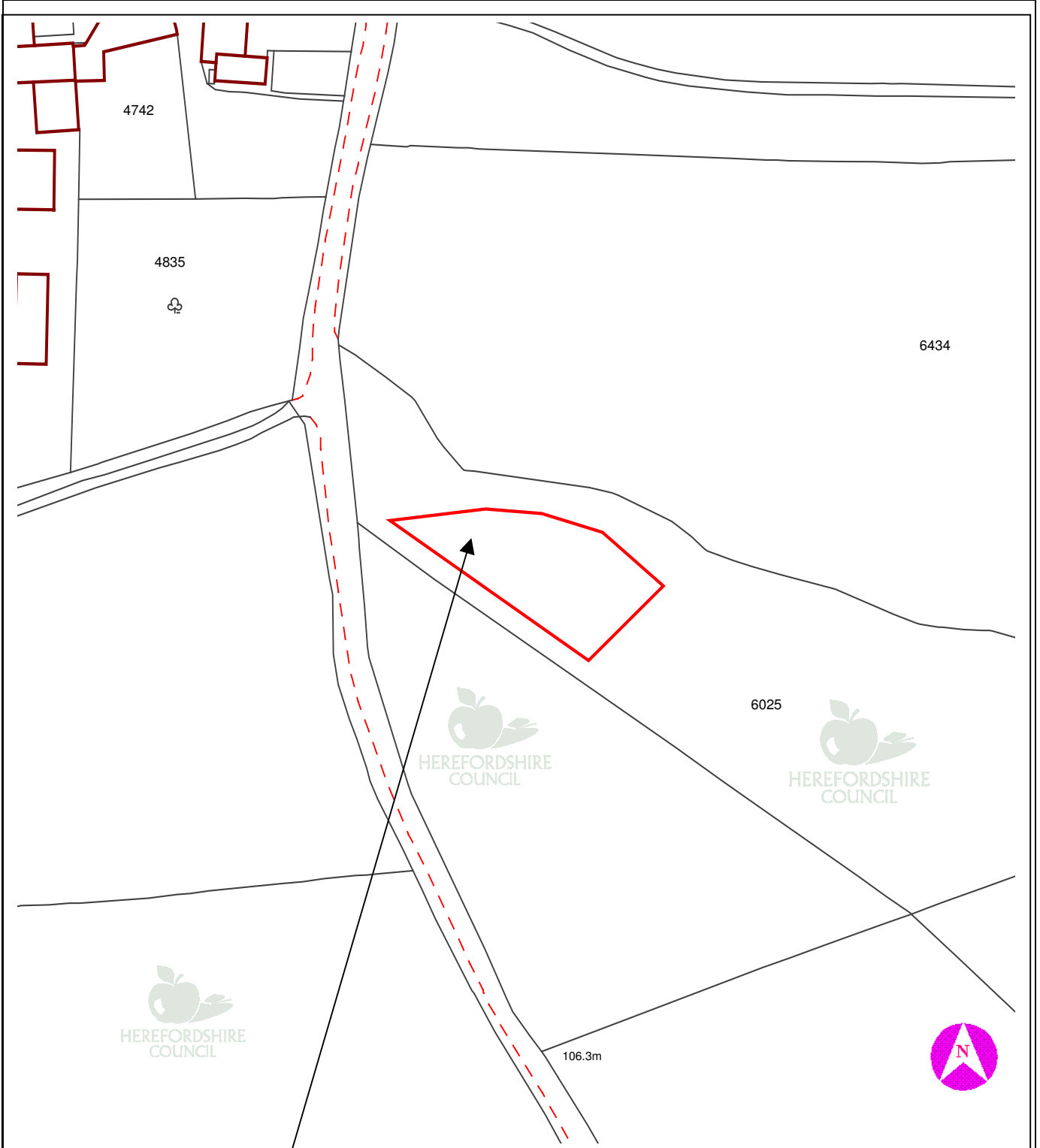
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCNW2007/2326/F

SCALE : 1 : 1250

SITE ADDRESS : The Oaks Marston Pembridge Herefordshire HR6 9HZ

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