

9 DCNW2003/2785/O - SITE FOR BUNGALOW WITH A SEMI BASEMENT AREA DEDICATED TO THE MANAGEMENT OF THE OLD AND NEW WOODLAND AND AMENITY PONDS AREAS AT OAKLANDS, EARDISLEY, HEREFORDSHIRE, HR3 6PR

For: Mr J.W. Mokler per Arkwright Owens, Berrington House, 2 St Nicholas Street, Hereford HR4 0BQ

Date Received:
12th September 2003

Expiry Date:
7th November 2003

Ward:
Castle

Grid Ref:
31694, 50192

Local Member: Councillor J Hope

1. Site Description and Proposal

- 1.1 The application site comprises a rectangular 0.6 hectare plot located on the north side of Almeley Road approximately 1.5km to the east of Eardisley.
- 1.2 The site is in open countryside and located between two existing properties known as Oakland and Gipsy Hill.
- 1.3 Outline planning permission is sought for a permanent dwelling to provide accommodation for a woodland and pool manager. This would be associated with the 9 hectare woodland area to the north of the application site which has been restored and maintained by the applicant and incorporates two ponds and is made generally available to visitors and school children both for general enjoyment and educational purposes.
- 1.4 External appearance, siting, means of access, design and landscaping would be reserved matters and as such this application seeks a view on the principle of establishing at this site only.

2. Policies

Central Government

PPG 7 – The Countryside – Environmental Quality and Economic and Social Development

Hereford & Worcester County Structure Plan

Policy H16 A Housing in Rural Areas
Policy H20 Housing in Rural Areas Outside the Green Belt
Policy CTC 9 Development Requirements
Policy CTC 11 Trees and Woodlands
Policy A4 Agricultural Dwellings

Leominster District Local Plan (Herefordshire)

Policy A1	Managing The District's Assets And Resources
Policy A2 (D)	Settlement Hierarchy
Policy A9	Safeguarding The Rural Landscape
Policy A38	Rural Tourism And Recreational Activities
Policy A43	Agricultural or Forestry Dwellings

Herefordshire Unitary Development Plan (Deposit Draft)

Policy H7	Housing in the Countryside Outside Settlements
Policy H8	Agricultural and Forestry Dwellings and Dwellings Associated with Rural Businesses
Policy LA2	Landscape Character and Areas Least Resilient to Change
Policy LA5	Protection of Trees, Woodlands and Hedgerows
Policy RST1	Criteria for recreation, sport and tourism development

3. Planning History

3.1 None relevant.

4. Consultation SummaryStatutory Consultees

4.1 N/A

Internal Consultees

4.2 Head of Engineering and Transportation raises no objection.

4.3 Chief Conservation Officer objects since the proposal would visually extend built development into the countryside.

4.4 Responses by internal consultees that raise material planning issues are summarised and considered in the Officers Appraisal.

5. Representations

5.1 Eardisley Parish Council raise no objection.

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

6. Officers Appraisal

6.1 The key issue for consideration in respect of this application is whether an exceptional need can be demonstrated that would justify a new permanent dwelling in the open countryside.

6.2 Policy A2 (D) of the Leominster District Local Plan (Herefordshire) establishes a strong presumption against residential development unless there are exceptional circumstances to justify otherwise. In this case the need is based upon the management of the existing woodland and pool area, which amounts to approximately 9 hectares to the north of the site and the applicants property (Oaklands). Part of the case also relates to the role of the site in providing opportunities for recreation and

education in view of the tranquillity and wildlife interest associated with the site. It should be noted that no planning permission exists for this use, which at present represents a very low key activity made available by the applicant.

- 6.3 The proposed dwelling has been considered in relation to the advice set out in Annex I of PPG 7. The criteria against which a new permanent dwelling may be justified include a requirement to demonstrate an established functional need for a full time worker; that the associated enterprise is financially viable and that the need cannot be fulfilled by another dwelling in the locality.
- 6.4 It is acknowledged that this proposal does not relate to a commercial agricultural/forestry enterprise but is more readily described as a rural enterprise. However the basis for demonstrating need remains similar. In this case whilst the pool restoration work undertaken and the efforts made by the applicant to maintain the woodland area and making it publicly accessible are recognised there is no justification for an additional dwelling to manage the woodland area and no financial information demonstrating that the dwelling would support a profitable rural enterprise has been submitted. Furthermore, policies relating to tourism and recreation would not support the establishment of a permanent dwelling unless it were associated with the conversion of an existing building.
- 6.5 Accordingly there are no material considerations that would warrant a departure from the normal policy constraints relating to new residential development in the open countryside.
- 6.6 The site occupies a prominent and elevated position which is visible from the Almeley Road and whilst there are two existing dwellings to the immediate west and east, further development in the absence of any exceptional circumstances would be detrimental to the character and appearance of the site and surrounding countryside.

RECOMMENDATION

That planning permission be refused for the following reasons :

- 1. It is not considered that an essential need for the proposed dwelling has been established and as such the proposal is contrary to Policy H20 of the Hereford & Worcester County Structure Plan, Policies A2(D) and A43 of the Leominster District Local Plan (Herefordshire) and the guiding principles set out in Annex I of PPG 7.**
- 2. The proposed dwelling in terms of its siting and elevated position would appear isolated in the landscape and out of keeping with its open character and appearance. It would therefore be contrary to Policy A9 of the Leominster District Local Plan (Herefordshire).**

Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.