

11 DCNC2008/1565/F - RETROSPECTIVE APPLICATION FOR RENEWAL OF TEMPORARY PERMISSION FOR SITE FOR ONE TRAVELLING FAMILY INCLUDING TWO RESIDENTIAL STATIC CARAVANS, TOILET BLOCK, DAY ROOM, SHED AND BOUNDARY WALL AT POOL HEAD ORCHARD, BODENHAM, HEREFORD, HEREFORDSHIRE, HR1 3HP.

For: Mr A. Johns per above address

Date Received: 12 June 2008 **Ward: Hampton Court** **Grid Ref: 55420, 50531**

Expiry Date: 7 August 2008

Local Member: Councillor KG Grumbley

1. Site Description and Proposal

- 1.1 The application relates to a parcel of land on Chapel Lane in Bodenham and is described as the renewal of permission for the siting of two caravans to house one traveller family.
- 1.2 The site is in open countryside but Chapel Lane is characterised by sporadic residential development along its entire length, being continuous at the heart of the village to being more spaced in the immediate environs of this application site. A large potato storage building is located on the opposite side of the road and is visible from the A417.
- 1.3 The site itself is well maintained and accessed via a very formal entrance defined by decorated brick walls and wrought iron gates. Two mobile homes are situated on the land, opposing each other across a gravelled parking area. Beyond this is a manicured lawn area.
- 1.4 Although described as a renewal, the application is different from that previously approved as it seeks to retain two caravans on the site, whereas the original permission limited this to a single mobile home. Furthermore the original limited occupancy to Mr & Mrs Johns (the applicants). The second mobile home included in this application is required to house their daughters.

2. Policies

Herefordshire Unitary Development Plan

H12 - Gypsies and other travellers

LA2 - Landscape character and areas least resilient to change

3. Planning History

- 3.1 NC04/0293/F - Siting of a residential static caravan - Approved 24/03/04 for a temporary period of 5 years and also subject to a condition that no other caravans should be brought onto the site.

3.2 NC03/2317/F - Creation of a new access - Approved 17/09/03

4. Consultation Summary

4.1 Transportation Manager – No objections

4.2 Travellers Liaison Officer confirm the family's Gypsy status and their reliance on local services including local schooling and doctor's surgery.

5. Representations

5.1 Bodenham parish council - raise no objection to the application but request that it is limited for a five year period as per the previous approval.

5.2 One letter has been received from Mr & Mrs Price, Maundfield Cottage, Bodenham. They do not object but question whether the application includes other structures that have been placed on the land and whether the permission is intended to be permanent.

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

6. Officer's Appraisal

6.1 It is quite clear from the comments received from the Gypsy Liaison Officer that Mr & Mrs Johns are gypsies and therefore the application can be considered on the basis of policy H12 of the UDP.

6.2 The site is reasonably located in relation to local services and facilities. It is within a mile of Bodenham Moor, which has the benefit of a number of local services. It is also located in an area that, although in an area of open countryside in terms of policy considerations, is characterised by a linear pattern of residential development with houses lying to either side of the site.

6.3 The site is small and provides settled occupation for Mr Johns and his immediate family.

6.4 Although the site now accommodates two mobile homes it is discreetly positioned behind a mature roadside hedge and is not readily visible in the wider landscape. The aspect of the development that is most visually prominent are the brick walls positioned to either side of the entrance. Nevertheless this is not so harmful to warrant the refusal the application in its own right due to the residential character of the area and the fact that dwellings along the road are defined by formal entrances.

6.5 The applicant's agent has submitted additional information following a site meeting to discuss the content of the application. This clarifies the applicant's immediate family and provides further details about the principal mobile home on the site. There was some concern that it was permanently fixed and therefore might be considered as operational development. However, following a further inspection and the submission of further details about the current mobile home, these concerns have been satisfied and it is accepted that it meets the criteria for a caravan as specified under the Caravan Sites and Control of Development Act 1960.

- 6.6 The site has been well maintained and provides an open area that is capable of use as a children's play space.
- 6.7 Given that the site complies with the requirements of Policy H12 completely it would be unreasonable to make any planning permission temporary. Similarly a personal permission would be unduly onerous and it is therefore recommended that a condition be imposed which restricts the use of the site to a single gypsy or traveller family, and limits its use to only two mobile homes.
- 6.8 Conditions are also recommended to require further details of a day room and tool shed that are indicated on the plan, that no other buildings or structures shall be placed on the site without written permission and that there should be no outside storage of any materials.
- 6.9 On this basis the proposal is considered to be acceptable and the application is recommended for approval.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

1 B01 (Development in accordance with the approved plans)

Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development and to comply with Policy DR1 of Herefordshire Unitary Development Plan.

- 2 The use of the site shall be limited to two mobile homes to be occupied by a person or persons comprising a single family unit and being recognised as being of genuine Gypsy or other Traveller status as defined by Circular 1/2006 - Planning for Gypsy and Traveller Caravan Sites. Evidence of such status shall be submitted to and approved in writing by the local planning authority prior to the occupation of the site by any person or persons other than the current applicant.**

Reason: The nature of the development is such that it is only considered to be acceptable in this location as a Gypsy or Traveller site in accordance with Policy H12 of the Herefordshire Unitary Development Plan.

- 3 Within three months of the date of this permission details including the precise dimensions and appearance of the day room and tool store as shown on the approved plan shall be submitted to and approved in writing by the local planning authority. The development shall be completed in accordance with the approved details.**

Reason: To protect the visual amenities of the area and to ensure that the development complies with the requirements of Policy DR1 of the Herefordshire Unitary Development Plan.

4 I45 (Restriction of open storage)

Reason: To protect the appearance of the locality and to comply with Policy DR1 of Herefordshire Unitary Development Plan.

Informatives:

1. **N15 - Reason(s) for the Grant of PP/LBC/CAC**
2. **N19 - Avoidance of doubt - Approved Plans**

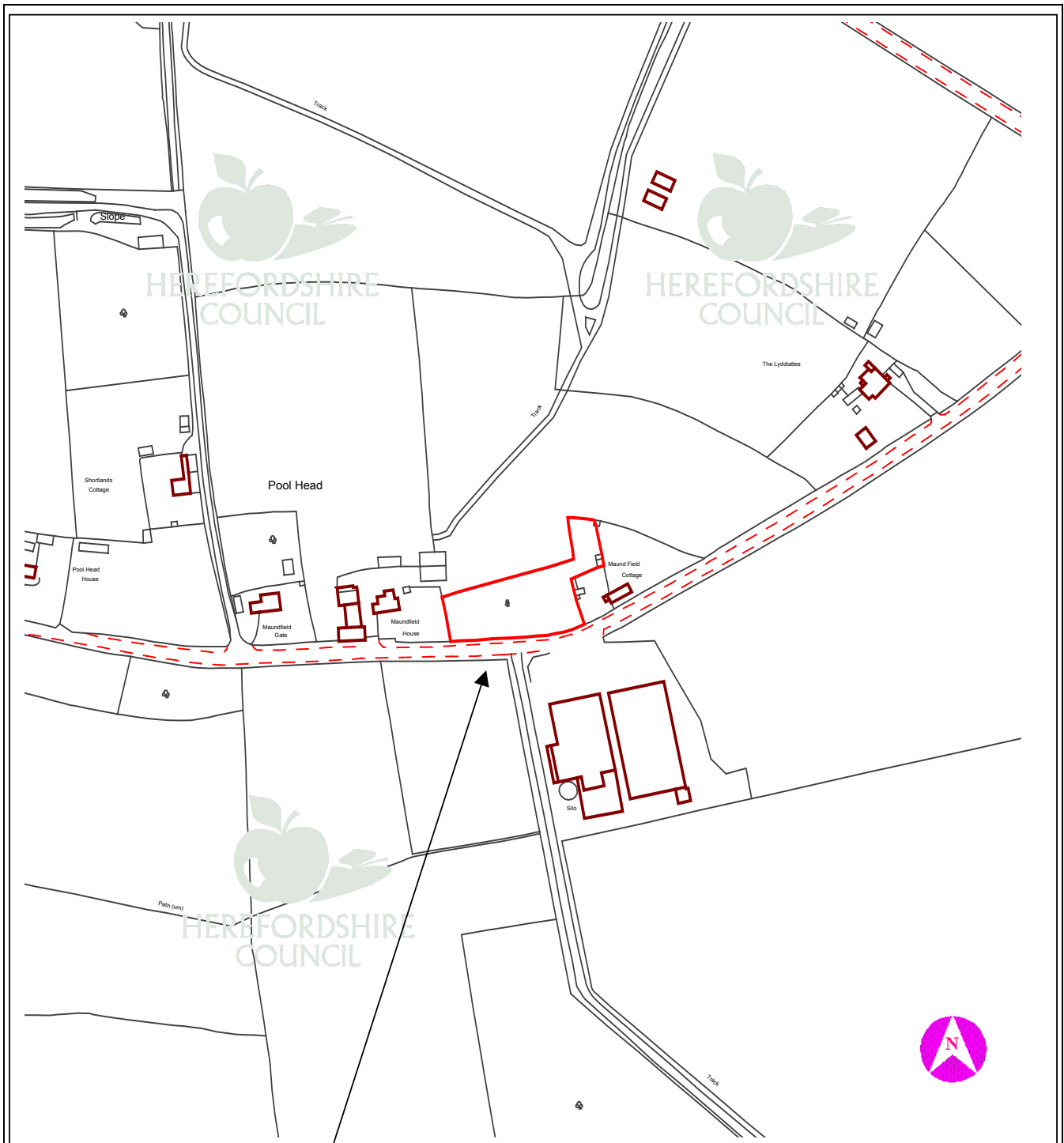
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCNC2008/1565/F

SCALE : 1 : 2500

SITE ADDRESS : Pool Head Orchard, -, Bodenham, Hereford, Herefordshire, HR1 3HP

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