

**7 DCNC2003/2883/F - MOBILE HOME TO REPLACE EXISTING DILAPIDATED MOBILE HOME ON SAME SITE AT THE WOODLANDS, RISBURY, LEOMINSTER, HEREFORDSHIRE, HR6 0NN**

**For: Mr E Clark per Mr J I Hall, New Bungalow, Nunnington, Hereford. HR1 3NJ**

**Date Received:**  
**23rd September 2003**

**Ward:**  
**Hampton Court**

**Grid Ref:**  
**55021, 55419**

**Expiry Date:**  
**18th November 2003**

Local Member: Councillor K Grumbley

### **1. Site Description and Proposal**

- 1.1 The site is located on the west side of Poplands Lane, between The Woodlands and Poplands Farm. There is vehicular access off a drive that leads to The Woodlands. The site is located in open countryside.
- 1.2 This application is for a replacement mobile home, 10.992m x 6.096m, and 6.7m to ridge. The mobile home will be in the same position as the existing mobile home and will be placed on 7 courses of brickwork. It will accommodate 2 bedrooms, lounge/dining, kitchen and bathroom. Drainage will be to a replacement bio disc sewerage treatment plant.

### **2. Policies**

#### **Leominster District Local Plan**

A1 – Managing the Districts Assets and Resources  
A2 – Settlement Hierarchy  
A9 – Safeguarding the Rural Landscape  
A58 – Mobile Homes

#### **Herefordshire Unitary Development Plan (Deposit Draft)**

H7 – Housing in the Countryside Outside Settlements  
H11 – Residential Caravans

### **3. Planning History**

N1999/0273/N – Replacement of mobile home with cottage. Refused 4 May 1999.

NC1999/2926/U – Certificate of Lawful Use – Mobile home as a permanent dwelling. Refused 20 December 1999.

NC2001/0143/U – Certificate of Lawful Use – Mobile home as a permanent dwelling. Agreed 25 January 2001.

NC2002/3152/F – Holiday chalet to replace a mobile home. Refused 26 November 2002.

NC2003/1343/F – The replacement of a mobile home. Refused 21 July 2003.

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

##### Statutory Consultations

4.1 Environment Agency – no objection in principle subject to conditions.

##### Internal Council Advice

4.2 Head of Engineering and Transportation – no objection

#### **5. Representations**

5.1 Humber Parish Council comment as follows:

“The Council is unable to support this application because of the lack of accurate information as to whether the new mobile home is an exact replacement of the original one. It would appear to be considerably larger, both in height and bulk. No precise data as to the size of the original home has been presented. As a larger structure, it would appear as an over-dominant feature of the landscape, contrary to policies A2(D)(iii), A9 and A58 of the Leominster District Local Plan. The Council regards the new home as being sufficiently different from the original one, as to be a new development, rather than a replacement. The Council does not consider that such a mobile home would fall into any of the expected categories of development allowed in this area.”

5.2 26 letters of objection have been received. The main points raised are:

- a) It is not in line with current planning policy with respect to developments in the countryside.
- b) It will cause significant harm to this sensitive rural area.
- c) It is not in the same position and is a different size.
- d) It will create a precedent for further development.
- e) It is contrary to the local plan policy A59.
- f) Poplands Lane is narrow with no passing places; extra traffic will be a danger to users of the lane.
- g) It will be out of keeping with the local architecture.
- h) It is a substantial permanent dwelling.
- i) The structure will be fixed to the ground by 7 courses of brickwork and cannot be considered as a mobile home.
- j) Circumstance has changed since the CLEUD and should be revoked.
- k) The mobile home is more suited for a holiday park.

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

## **6. Officers Appraisal**

6.1 This application is to replace a dilapidated mobile home, which has a Certificate of Lawful Use as a permanent dwelling, NC2001/0143/U refers.

6.2 The Caravan Site Act 1968 defines a mobile home as a structure designed or adapted for human habitation which is capable of being moved from one place to another (whether being towed or being transported on a motor vehicle or trailer). The Act also defines the size of the mobile home which has been 60ft in length (19m), 20ft in width (6.5m) and 10ft in height (3m) overall.

6.3 While, the floor area of the replacement mobile home falls within the size of a mobile home as defined by The Caravan Sites Act it will be higher, 6.7m to ridge. Although, this application transgresses the dimensional criteria set by The Caravan Act, the height of the mobile home is not considered significant so as to appear as a dominant structure. The mobile home will be in the same position as the existing structure, close to the roadside boundary hedge that will minimise the impact of the height of the mobile home.

6.4 Previous applications for replacement mobile home have been refused, as they were considered too big, in floor area and height, so as not to be comparable in size with the existing structure and appear as an over dominant structure in the landscape.

6.5 In normal circumstances the siting of a mobile home as a permanent dwelling would be contrary to the objectives of the Leominster District Local Plan that restrict housing development in the open countryside. However, the CLUED is a material consideration in this application in that it confirms the residential use of the mobile home.

6.6 Given that this application is to replace an existing mobile home, which has a Certificate of Lawful Use as a dwelling, the replacement mobile home is not likely to cause an increase in traffic and the Council's Head of Transportation has raised no objection accordingly.

## **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 - No developments approved by this permission shall be commenced until a scheme for the provision of foul drainage works has been approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.**

**Reason: To prevent pollution of the water environment.**

**3. G11 – (Retention of hedgerows (where not covered by Hedgerow Regulations))**

**Reason: To ensure that the application site is properly landscaped in the interests of the visual amenity of the area.**

Decision: .....

Notes: .....

.....

**Background Papers**

Internal                      departmental                      consultation                      replies.