

**DCNW2004/1511/F - TENTING SITE AND MOBILE  
RETIREMENT HOME IN FIELD NGR 7306 PLUS  
CONVERSION OF EXISTING SHED TO TOILET AND  
SHOWER AT THE WILLOWS, BIRTLEY, BUCKNELL,  
HEREFORDSHIRE, SY7 0DT**

**For: Mr & Mrs M J Thomas of The Farlands Bungalow,  
Lingen, Bucknell, SY7 0DX**

**Date Received:**

**29th April 2004**

**Expiry Date:**

**24th June 2004**

Local Member: Councillor Mrs L.O. Barnett

**Ward:**

**Mortimer**

**Grid Ref:**

**36784, 69051**

**1. Site Description and Proposal**

- 1.1 The Willows comprises a 1.24 hectare site, located on the west side of C1007 and close to the small scattering of properties forming the hamlet of Birtley.
- 1.2 The site is split into two parcels and is screened from the highway by an existing mature, roadside hedgerow. The "front field" is the larger of the two, over which runs an unmetalled driveway from the gated access to the "rear field". Both fields have been planted with a mix of ornamental and native species trees.
- 1.3 The "rear field" is primarily the subject of this application and is also screened along all four boundaries by well-established hedgerows and trees. There are two existing, wooden-built structures on the site, as well as a touring caravan.
- 1.4 The site lies wholly within an Area of Great Landscape Value.
- 1.5 Planning permission is sought for the change of use of rear field to a small campsite for up to 10 tents, the conversion of the larger, existing structure into an office, toilet and shower and the siting of a mobile home for permanent residential occupation by the applicant. The mobile home would enable the supervision of the campsite, as well as provide an affordable retirement home for the applicants.

**2. Policies**

**2.1 Hereford and Worcester County Structure Plan**

H16A - Development Criteria

H20 - Residential Development in Open Countryside

E20 - Development of the Tourist Industry

CTC2 - Development in Areas of Great Landscape Value

CTC9 - Development Criteria

CTC11 - Conservation and Expansion of Tree and Woodland Cover

TSM1 - Criteria for Tourism Related Development

TSM2 - Scale of Tourism Projects

**2.2 Leominster District Local Plan (Herefordshire)**

- A1 - Managing the District's Assets and Resources
- A2(D) - Settlement Hierarchy
- A9 - Safeguarding the Rural Landscape
- A10 - Trees and Woodlands
- A12 - New Development and Landscape Schemes
- A13 - Pollution Control
- A16 - Foul Drainage
- A24 - Scale and Character of Development
- A35 - Small Scale New Development for Rural Businesses within or around Settlements
- A38 - Rural Tourism and Recreational Activities
- A39 - Holiday Chalet, Caravan and Camping Sites
- A48 - Affordable Housing for Local Needs in Rural Areas
- A58 - Mobile Homes
- A70 - Accommodating Traffic from Development

**2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft)**

- S1 - Sustainable Development
- S2 - Development Requirements
- S3 - Housing
- S4 - Employment
- S7 - Natural and Historic Heritage
- S8 - Recreation, Sport and Tourism
- DR1 - Design
- DR2 - Land use and activity
- DR3 - Movement
- DR4 - Environment
- DR13 - Noise
- DR14 - Lighting
- H7 - Housing in the Countryside Outside Settlements
- H8 - Agricultural and Forestry Dwellings and Dwellings Associated with Rural Businesses
- E11 - Employment in the smaller settlements and open countryside
- E15 - Protection of Greenfield Land
- LA2 - Landscape Character and Areas least Resilient to Change
- LA6 - Landscaping Schemes
- RST1 - Criteria for Recreation, Sport and tourism Development
- RST13 - Rural and Farm Tourism Development
- RST14 - Static Caravans, Chalets, Camping and touring Caravan Sites
- CF2 - Foul Drainage

**3. Planning History**

NW2003/2978/F - Proposed camp and touring caravan site with mobile log cabin  
Withdrawn: 5th November, 2003.

#### 4. Consultation Summary

##### Statutory Consultations

- 4.1 Environment Agency submit a HOLDING OBJECTION until further information is supplied on how foul drainage will be safely disposed of from the proposed development.

The previous proposal was catered for by a septic tank and soakaway system.

A cesspool as proposed is the least sustainable option but, if a septic tank or treatment plant was proposed rather than a cesspool, the Agency would be in a position to recommend a planning condition for a scheme of foul drainage to be submitted and agreed.

##### Internal Consultee Advice

- 4.2 The Chief Conservation Officer raises no objection to the proposed use as a campsite or to the conversion of the existing building. However, a strong objection is raised to the proposed mobile home in terms of its impact on the rural character of the site and surrounding countryside.

Comments are made on the landscaping details, which are considered to be too ornamental and the aim should be to simplify the scheme, remove any fencing and artificial screening, in order to retain the simple, rural character. Further consideration should be given to the treatment of the driveway.

- 4.3 Head of Engineering and Transportation raises no objection.
- 4.4 Head of Environmental Health and Trading Standards raises no objection, but states that a site licence would be required from the Local Authority.
- 4.5 Public Rights-of-Way Manager raises no objection.

#### 5. Representations

- 5.1 Three (3) letters of objection have been received from the following persons:

- Mr & Mrs Keown-Boyd, Birtley Farm, Birtley, Bucknell
- T.M. Attwood, Chapel Cottage, Birtley, Bucknell
- J.L. Thomas, The Old Post Office, Birtley, Bucknell

- 5.2 The concerns raised can be summarised as follows:

- open countryside location
- detrimental effect upon Area of Great Landscape Value and potential impact upon protected species
- Substantial storage tank required to deal with foul drainage
- power and light would require a diesel generator, creating constant noise
- site itself will create noise and light pollution - loud music at all hours
- how will waste from the site be dealt with

- buildings were built by the applicant; i.e. not replacing existing buildings
- this is not a farm diversification project
- if approved, such a development will lead to more proposals that could not be reasonably refused by the Local Planning Authority
- new driveway created without planning permission
- no demand for campsites in the area
- access is unsafe

5.3 Walford, Letton and Newton Parish Council support the application, but suggest temporary 5-year permission should be granted.

5.4 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 The main issues for consideration in the determination of this application are as follows:

- a) the principle of a campsite supported by ancillary facilities and a residential mobile home
- b) the visual impact of the proposed campsite and associated structures within the Area of Great Landscape Value;
- c) drainage; and
- d) access

### **Principle of Campsite Use**

6.2 Policy A2(D) of the Leominster District Local Plan (Herefordshire) is broadly supportive of small-scale employment generating proposals in the open countryside and Policy A39 deals specifically with proposals for new campsites. It requires the scale and character of proposals to be compatible with the area, to preserve the amenities of neighbouring properties, to provide safe access and appropriate landscaping.

6.3 In this case, it is considered that the principle of a tented site on the relatively well screened rear field is an acceptable one and would, subject to a satisfactory approach to the landscaping of the site being agreed, accord with the terms of Policy A39. It is advised that, in this respect and given the limited impact on the character and appearance of the site, the issue of need is not a material policy consideration and neither would the applicants' assertion that this forms part of a farm diversification project.

6.4 The re-use of the existing timber-clad building located against the well-established hedgerow defining the boundary between the two fields is regarded as acceptable in principle, since Policy A38 of the Local Plan would allow for the construction of a new building of an appropriately small scale and in keeping with the appearance of the locality. Again, the relatively limited visual impact of this building in the local landscape has formed part of the assessment of the acceptability of this proposal.

6.5 This leaves the principle of the proposed residential mobile home, which the applicants identify as being primarily for retirement purposes and to supervise the

campsite. Having regard to currently adopted policy and the greater flexibility afforded by emerging Policy H8 of the Herefordshire Unitary Development Plan (Herefordshire), an assessment has been made of the need for full-time supervision of this proposed campsite use. It is considered that there is no functional or long term, genuine need for a residential presence, either on a permanent or temporary basis and, as such, this element of the proposal is wholly contrary to the adopted and emerging plan policies.

- 6.6 It is strongly maintained that campsite uses such as this should be established adjacent to existing dwellings or in association with existing buildings capable and worthy of conversion to a dwelling, rather than as proposed by the applicant in this case. The acceptance of a residential presence, based upon such a low-key and highly seasonal use, would establish an extremely dangerous precedent which could be repeated with serious implications for the character and appearance of the Area of Great Landscape Value.
- 6.7 Accordingly, whilst the benefits of encouraging tourism-related development in rural areas is recognised, this should not outweigh the strong presumption against residential development, which is far more strictly controlled.

#### **Impact on the Area of Great Landscape Value**

- 6.8 The presence of the existing structures on the site and the proposed re-use of the timber-clad building (notwithstanding the assertion made by objectors that it is unauthorised) would not have such a significantly adverse effect on the character and appearance of the site and surrounding countryside to warrant the refusal of planning permission.
- 6.9 The introduction of a substantial mobile home would, however, represent an alien feature in this unspoilt landscape and, whilst the site benefits from established screening along its boundaries, views of the site are possible from the gated access to the east and the footpath to the west, where the structure would certainly be seen during the winter months. In view of the lack of evidence relating to the need for the mobile home, the requirement to preserve the character and appearance of the local landscape is accorded significant weight and, as such, the proposed mobile home would be contrary to Policy A9 of the Local Plan.
- 6.10 The landscaping proposals are considered rather ornamental and, accordingly, it would be strongly recommended that a more mature species planting scheme should be agreed and implemented. Furthermore, the visual impact of the driveway could be minimised through the imposition of an appropriate condition.

#### **Drainage**

- 6.11 A holding objection has been submitted by the Environment Agency until such time as details of how foul drainage will be safely disposed of are submitted for consideration. This information has been requested and the response will be reported to Members at the meeting.
- 6.12 In the absence of any further detailed information, this could represent a reason for refusal in its own right, pursuant to Policy A16 of the Local Plan.

**Access**

6.13 Notwithstanding the concerns raised locally, the Head of Engineering and Transportation raises no objection to the existing access arrangement to serve the proposed campsite.

**RECOMMENDATION**

**Subject to the receipt of further information relating to the proposed foul drainage arrangements, that planning permission be refused for the following reasons:**

- (1) The proposed siting of the mobile retirement home would be tantamount to the creation of a new dwelling, which, in the absence of any exceptional circumstances to justify otherwise, would be contrary to Policy H20 of the Hereford and Worcester County Structure Plan, Policy A2(D) of the Leominster District Local Plan and Policy F18 of the emerging Herefordshire Unitary Development Plan (Revised Deposit Draft).**
  
- (2) The proposed siting of the mobile retirement home and the additional pressure for the creation of a residential curtilage and associated domestic paraphernalia would represent development out of keeping with the character and appearance of the site and the surrounding countryside, which is designated as an Area of Great Landscape Value. Accordingly, the proposal as a whole would be contrary to Policies E20, CTC2 and TSM1 of the Hereford and Worcester County Structure Plan; Policies A9, A38, A39 and A58 of the Leominster District Local Plan and Policies E11, LA1 and RST14 of the emerging Herefordshire UDP (Revised Deposit Draft).**

Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.