

**DEFERRED APPLICATIONS**

**5a DCSE2004/1019/F - PROPOSED CHANGE OF USE OF SITE FOR 10 SEASONAL CARAVANS**

**5b DCSE2004/1027/F - VARIATION OF CONDITION 5 OF PERMISSION SH960118PF FROM 15 TO 13 CARAVANS**

**5c DCSE2004/1029/F - VARIATION OF CONDITION 3 OF PLANNING PERMISSION SS980401PF TO ALLOW STORAGE OF SEASONAL TOURING CARAVANS (10) ON LAND ADJACENT TO STORAGE BUILDING**

**HAYWOOD FARM, GORSLEY, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7SP**

**For: Mr. D. Stringer per Mr. C.F. Knock, 22 Aston Court, Aston Ingham, Ross-on-Wye Herefordshire, HR9 7LS**

**Date Received: 18th March, 2004 Ward: Old Gore**

**Grid Ref: 68014, 26822**

**Expiry Date: 13th May, 2004**

Local Member: Councillor J.W. Edwards

Consideration of these applications was deferred by the Sub-Committee on 7th July, 2004 in order that a site visit could be held. This took place on 19th July, 2004.

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

1.1 Haywood Farm is situated on the borders of Herefordshire and Gloucestershire. The farm and adjoining land is within Herefordshire; the access track (a bridleway) and local roads connecting to the main road network are within Gloucestershire. The property comprises a former farmhouse which has been extended, plus outbuildings and surrounding fields. Planning permission (SH960118PF) for a touring caravan site was granted permission in 1996. This related to land to the east and north of the farmhouse. Conditions (nos. 5 & 6) limited the number of caravans to 15 and the period of use from March to November only. Subsequently permission (SH980401PF) was granted to change an agricultural building into a caravan store. Storage of caravans was only allowed within the building (condition no. 3). In addition to these permitted uses Haywood Farm also has a certificated site for 5 caravans and caravan rallies are held regularly. Both these activities benefit from "permitted development".

1.2 In 2001 an application (SE2001/1766/F) to increase the number of caravans from 15 to 25 was refused permission and the subsequent appeal dismissed because the local road network was insufficient to accommodate any additional traffic. A later

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application (SE2002/1393/F) for a caravan storage compound was refused permission primarily because of additional movements of cars and caravans on the sub-standard access roads and junctions.

1.3 The current applications are linked. There are three proposals:

- (1) Reduction in the number of touring caravans from 15 to 13 (SE2004/1027/F).
- (2) Use of part of the existing caravan site to the north of the caravan store for siting 10 "seasonal caravans" i.e. caravans that stay on site during the season, occupied by their owners and not for hire (SE2004/1019/F).
- (3) These same caravans would be stored for the winter (November - March) on an area of land (about 25m x 13m) immediately north-west of the store (part of the area for which caravan storage was previously sought - SE2001/1393/F).

1.4 Caravans have been stored on land adjoining the caravan store building, despite the refusal of planning permission. The current applications have been submitted in order to remedy this breach of planning control.

## 2. Policies

### 2.1 Planning Policy Guidance

PPG.7	The Countryside: Environmental Quality and Economic & Social Development
PPG21	Tourism

### 2.2 Hereford and Worcester County Structure Plan

Policy TSM1	Criteria for Tourism Related Development
Policy TSM8	Touring Caravan and Camping Sites

### 2.3 South Herefordshire District Local Plan

Policy TM1	General Tourism Provision
Policy TM6	Holiday Caravan/Chalet/Camp Parks
Policy TM7	Improvements to Existing Holiday Caravan and Chalet Sites
Policy GD1	General Development Criteria
Policy T3	Highway Safety Requirements
Policy ED3	Employment Proposals within/adjacent to Settlements
Policy ED5	Expansion of Existing Businesses
Policy C1	Development within Open Countryside

### 2.4 Herefordshire Unitary Development Plan – Revised Deposit Draft

RSTI	Static Caravans, Chalets, Camping and Touring Caravan Sites
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## 3. Planning History

3.1	SH960118PF	Towing caravan site.	-	Permitted 12.6.96
	SH980401	Change of use to seasonal caravan store.	-	Permitted 23.11.98

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SE2001/1766/F	Variation of condition 5 of planning permission Ref. SH960118PF to increase limit of 15 caravans to 25 at any one time.	-	Appeal dismissed 11.7.02
SE2002/1393/F	Caravan storage compound and laundry room.	-	Refused 23.9.02
SE2002/2835/N	Reed-bed sewage treatment system.	-	Permitted 13.11.02

### 4. Consultation Summary

#### Statutory Consultations

#### 4.1 Environment Agency comment as follows:

SE2004/1019/F - requests deferral pending additional information to allow assessment of risk of flooding.

SE2004/1027/F - has no objections to the proposal.

SE2004/1029/F - has no objections to the proposal.

#### 4.2 Forestry Commission (re SE2004/1019/F) states that the scale of the proposal is that that there will be no effect on the woodland and consequently have no comment to make.

#### 4.3 Gloucester County Council:

SE2004/1019/F - recommends that permission be refused on highway grounds for the following reasons:

The site is served by a series of narrow, substandard access roads and hazardous road junctions and such conditions are totally unsuitable to cater for increased traffic resulting from the proposed development

The proposed development would be likely to result in vehicular traffic using a designated public footpath/bridleway with the consequent risk of conflict with pedestrians/equestrians, all to the detriment of highway safety.

SE2004/1027/F - no highway objection is raised to the proposal which is welcomed as it will reduce traffic along substandard roads, sites and bridleway.

SE2004/1029/F - recommends that permission be refused on highway grounds (for the same reasons as SE2004/1019/F)

#### Internal Council Advice

#### 4.4 Head of Environmental Health has no comments on the proposals.

### 5. Representations

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5.1 The applicant's agent states that from the previous planning history of the site the overriding issue relates to caravan movements and this application incorporates a proposal to help alleviate this issue. This proposal (planning application) will result in a reduction in caravan movements of between 10 and 15% by reducing the number of touring caravans allowed by two. It is proposed that the ten seasonal caravans will be put into the storage area adjacent the storage building out of season thus reducing caravan movements to a minimum.

5.2 In addition evidence is submitted of caravan movements for each month (March-November) of 2002 and 2003 taken from the registers of the caravan park.

5.3 Upton Bishop Parish Council:

SE2004/1019/F - object : access is poor and any increase in number of caravans increases risk.

SE2004/1027/F - no comment.

SE2004/1029F - object : access is poor and any increase in number of caravans increases risk.

5.4 Gorsley and Kilcot Parish Council:

SE2004/1019/F - objects to this application. Gloucester County Council letter dated 8.8.2001 stated that "The site is served by a series of narrow substandard access roads and hazardous road junctions". The caravan movements attached to the application do not reflect the neighbour's observations and do not appear to include Caravan Club Certified Location Site or rally traffic. Furthermore the figures indicate that more caravans arrived than left suggesting that caravans were still on site on 30th November contrary to Planning permission SH960118PF. This Planning Permission also states that "No more than 15 caravans shall be stationed on the land at any one time" for the reason "To define the terms of the permission to protect the visual amenities of the area and the amenities of the neighbours" and this application is therefore contrary to that permission.

SE2004/1027/F - has no objections.

SE2004/1029F - objects to this application. The applicant has previously applied for permission for a storage compound (Planning Application SE2002/1393/F) and this was refused but he has continued to disregard this refusal and we understand that the infringements have been reported to yourselves on several occasions.

Overall the Parish Council would like to refer to their letter dated 2nd August, 2001, outlining the Parish Council concerns re this site as it feels that many of the points have not yet been resolved. The local residents have expressed their concerns and objections to the above applications and the Parish Council wishes to support them in these objections. The Parish Council feels that the applicant shows a continuing disregard of all regulations concerning the conditions of his planning permission.

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5.5 Three letters of objection have been received from local residents, one of which is on behalf of 4 additional households. In summary the main reasons for objecting are as follows:

- (1) The Inspector's decision is referred to and it is strongly maintained that nothing has changed regarding narrow local roads with poor visibility and that the additional traffic would exacerbate these problems and be unsafe. This is grounds for refusal.
- (2) It is emphasised that the narrow access track is a bridleway, and is only wide enough for one vehicle. It is questioned whether caravanners have right of access as a bridleway is limited to pedestrians, cyclists, horses and the vehicles of those with properties off the bridleway.
- (3) Additional vehicles throughout the year would result from owners visiting stored caravans for maintenance and collecting for touring elsewhere.
- (4) The submitted table of vehicle movements is questioned as it does not include rallies and the certificated site. There have been 5 rallies so far for this year and an estimated 1500 journeys on the bridle path. A separate calculation based on a typical bank holiday weekend (Friday – Monday with 35 caravans plus tents each with one car making on average 2 trips each per day) results in a figure of 560 movements. In previous month 4 rallies were held with an estimated 2000 trips plus a further 300 associated with the touring site.
- (5) Priority of local Parish Councils and both Herefordshire District Council and Gloucestershire County Council is to reduce traffic on B 4221 because of notorious speeding and accident records.
- (6) One letter welcomes any decrease in the number of caravans (i.e. SE2004/1027/F) but another considers that the site owner is assuming that the restriction on numbers of caravans would not be enforced by the Council. Planning regulations have been ignored and there is currently an outstanding breach of condition notice and enforcement action has been initiated.
- (7) In effect 20 extra caravans are being sought but on a very different basis to the current site - 10 may be used as permanent homes and the other 10 let on similar terms (say to itinerant workers or migrant workers, as is thought to occur already in breach of regulations). In practice virtually impossible to differentiate (all 20 might be owner's caravans let as permanent homes). The seasonal caravans are those that have long been on the site and are owned by the site owners
- (8) Total number of caravans would be 33, well beyond earlier applications which were rejected. The caravan store has nevertheless continued and enforcement action initiated (see 6 above) which resulted in these applications.
- (9) Permanent siting would result in increased traffic.
- (10) The caravan site brought increased traffic and noise making life very unpleasant for the occupants of houses along the bridle path and the current proposals would exacerbate these problems.
- (11) Additional caravans would be an environmental eyesore with caravans sprawled across the hillside.

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

## 6. Officers Appraisal

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- 6.1 The Inspector in her decision letter regarding the proposal to increase the number of touring caravans from 15 to 25 found that “the local road network is not of sufficient capacity to adequately accommodate existing traffic. As such, it must follow that the local road network is also of insufficient capacity to accommodate the additional traffic that would occur if an additional 10 caravans were permitted to be stationed on the site. I consider that the local road network was of insufficient width and that there is inadequate visibility at the junction with the B4221 and route 3/60 to accommodate existing traffic.” The appeal was dismissed therefore on highway safety grounds.
- 6.2 The applicant has sought to meet these concerns by reducing the number of touring caravans by 2, by the 10 additional caravans remaining on site all year round and being occupied only by their owners. On this basis, once the caravans have been brought onto the site there would be less movement of caravans than at present, although there may be extra cars as the owners of the 10 extra caravans may visit Gorsley frequently during the season. However it is not considered that this situation could be controlled by planning condition without intrusive investigation of the business and of the caravan owners. It would not be practicable for example to stop hiring out and consequently caravans could be occupied throughout the season with a considerable number of extra vehicle trips. Furthermore it would be difficult to ensure that the same 10 caravans remained on site throughout the year. There would be movements on and off the site at any time during the year as caravan owners decided to site their caravans elsewhere. The Council would not be able to determine whether this was the reason for the caravan moving or whether this was an additional touring caravan. Nor could the Council readily determine whether the stored caravans were the same vehicles as the seasonal caravans. It is not clear why these static caravans need to be moved a few yards for winter storage. It is considered therefore that vehicular movements cannot be controlled and that the proposals for seasonal caravans and caravan storage could lead to additional traffic movements on the inadequate road network. Clearly this would not apply to the reduction in number of season caravans and there are no highway objection to this proposal.
- 6.3 A second concern of local residents is noise and disturbance. The area for seasonal caravans and storage would be of the furthest part of the site from residents. It may be expected from the greater numbers staying at the site that there would be some extra activities resulting in more noise and as traffic movements cannot be restricted these may add to this problem. Nevertheless it is not considered that the increase in noise and disturbance would make a significant difference to the amenities of neighbours. This was the conclusion of the Inspector in the appeal referred to above. Reference is made to other activities at Haywood Farm in addition to the 15 seasonal caravans. As noted above, caravan rallies are held at this site and there is also a certificated site (5 caravans), both under permitted development. It has not been substantiated that more than 15 caravans are regularly stationed in breach of the planning condition for the caravan park.
- 6.4 The addition of just 8 more caravans (i.e. 10 seasonal minus 2 touring caravans) on the existing caravan park site would not be visually intrusive. The area for storage would extend the park but with additional planting along the lane and by reducing ground level it is considered that there would not be significant harm to the landscape or character of the countryside.

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### RECOMMENDATION

#### With respect to DCSE2004/1019/F:

That planning permission be refused for the following reason:

- 1 The Council considers that vehicular movements associated with the development would add to the current volume of traffic to and from Haywood Farm. As a consequence the proposal would result in additional movement of cars and caravans on the narrow sub-standard access roads and hazardous road junctions which serve this caravan site, which would be contrary to the interests of highway safety. The proposal would conflict therefore with Policies TSM1 and TSM8 of the Hereford and Worcester County Structure Plan and Policies TM1, TM6, TM7, GD1 and T3 of the South Herefordshire District Local Plan.

#### With respect to DCSE2004/1027/F:

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 more than 13 caravans shall be stationed on the land at any one time.

Reason: To define the terms of the permission to protect the visual amenities of the area and the amenities of neighbours.

Informative:

- 1 N15 - Reason(s) for the Grant of Planning Permission

#### With respect to DCSE2004/1029/F:

That planning permission be refused for the following reason:

- 1 The Council considers that vehicular movements associated with the development would add to the current volume of traffic to and from the Haywood Farm. As a consequence the proposal would result in additional movement of cars and caravans on the narrow sub-standard access roads and hazardous road junctions which serve this caravan site, which would be contrary to the interests of highway safety. The proposal would conflict therefore with Policies TSM1 and TSM8 of the Hereford and Worcester County Structure Plan and Policies TM1, TM6, TM7, GD1 and T3 of the South Herefordshire District Local Plan.

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Decision: .....

Notes: .....

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### Background Papers

Internal departmental consultation replies.

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